

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
September 21, 2017*

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

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

The Pledge of Allegiance was recited by City Council.

### **ROLL CALL**

The following members responded to the Call of the Roll: Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon, and Walsh, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Congo and Guy. Total, two.

### **MINUTES**

After reading a portion of the minutes of September 7, 2017, upon a motion of Council Member Walsh, seconded by Council Member Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Public Safety Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Loretta Walsh, Chair	X		
Michelle Harlee			X
Yolanda McCoy	X		
Charles M. "Bud" Freel		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of  
The City of Wilmington

September 11, 2017

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 17-033** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
MULTI-YEAR LEASE RENEWAL BETWEEN THE CITY  
OF WILMINGTON AND DRYWALL ASSOCIATES, LTD.

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

Respectfully submitted, Members of  
Public Safety Committee  
/s/Loretta Walsh, Chair  
/s/Yolanda McCoy  
/s/Ciro Adams  
/s/Hanifa Shabazz, Ex Officio Member

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

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh, Chair	X		
Michelle Harlee			X
Yolanda McCoy	X		
Charles M. "Bud" Freel		X	
Ciro Adams	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of  
The City of Wilmington

September 11, 2017

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No.  
17-034** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
ONE (1) YEAR LEASE RENEWAL BETWEEN THE CITY OF  
WILMINGTON AND PORT PROPERTIES, LLC, WITH THE  
OPTION TO EXTEND FOR AN ADDITIONAL ONE (1) YEAR

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

Respectfully submitted, Members of  
Public Safety Committee  
/s/Loretta Walsh, Chair  
/s/Yolanda McCoy  
/s/Ciro Adams  
/s/Hanifa Shabazz, Ex Officio Member

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

The City Clerk read the following committee report:

<u>Community Development &amp; Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Nnamdi O. Chukwuocha	X		
Yolanda McCoy, Vice-Chair	X		
Ernest "Trippi" Congo, II		X	
Zanthia Oliver	X		
Va'Shun "Vash" Turner	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of  
The City of Wilmington

September 14, 2017

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Ordinance No. 17-026** entitled:

**AN ORDINANCE TO AMEND CHAPTER 3 OF THE CITY CODE  
REGARDING SUPPORT ANIMALS**

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

Respectfully submitted, Members of  
Community and Economic Development Committee  
/s/Rysheema Dixon, Chair  
/s/Nnamdi O. Chukwuocha  
/s/Yolanda McCoy, Vice-Chair  
/s/Zanthia Oliver  
/s/Va'Shun "Vash" Turner  
/s/Hanifa Shabazz, Ex Officio Member

Upon a motion of Council Member Dixon, seconded by Council Members Walsh and Freel, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Va'Shun "Vash" Turner, Chair	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Michelle Harlee	X		
Ciro Adams, Vice-Chair	X		
Ernest "Trippi" Congo, II		X	
President Hanifa Shabazz, Ex Officio			

President and Members of Council of  
The City of Wilmington

September 20, 2017

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Substitute No. 1 to Ordinance No. 17-027** 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/Va'Shun "Vash" Turner, Chair  
/s/Zanthia Oliver  
/s/Michelle Harlee  
/s/Ciro Adams

Upon a motion of Council Member Turner, seconded by Council  
Members Walsh and Freel, the above Report was received, recorded and filed. Motion  
prevailed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Va'Shun "Vash" Turner, Chair	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Michelle Harlee	X		
Ciro Adams, Vice-Chair	X		
Ernest "Trippi" Congo, II		X	
President Hanifa Shabazz, Ex Officio			

President and Members of Council of  
The City of Wilmington

September 20, 2017

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Substitute No. 1 to Ordinance No. 17-028** entitled:

AN ORDINANCE TO AUTHORIZE A FLEET MANAGEMENT  
AND MAINTENANCE CONTRACT WITH FIRST VEHICLE  
SERVICES, INC.

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

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Va'Shun "Vash" Turner, Chair  
/s/Zanthia Oliver  
/s/Michelle Harlee  
/s/Ciro Adams

Upon a motion of Council Member Turner, seconded by Council  
Members Walsh and Freel, the above Report was received, recorded and filed. Motion  
prevailed.

The City Clerk read the following committee report:

<u>Public Works &amp; Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Va'Shun "Vash" Turner, Chair	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Michelle Harlee	X		
Ciro Adams, Vice-Chair	X		
Ernest "Trippi" Congo, II		X	
President Hanifa Shabazz, Ex Officio			

President and Members of Council of  
The City of Wilmington

September 20, 2017

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Ordinance No. 17-032** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
MULTI-YEAR CONTRACT BETWEEN THE CITY OF  
WILMINGTON AND PENN/MD MATERIALS, DIV.  
OF H&K GROUP, INC.

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

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Va'Shun "Vash" Turner, Chair  
/s/Zanthia Oliver  
/s/Michelle Harlee  
/s/Ciro Adams

Upon a motion of Council Member Turner, seconded by Council  
Members Freel and Dixon, the above Report was received, recorded and filed. Motion  
prevailed.

### **TREASURER'S REPORT**

The following Treasurer's Report as of September 21, 2017, was read  
into the record by City Clerk and upon a motion of Council Member Walsh, seconded by  
Council Member Freel, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 7 to Page 8.*

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# City of Wilmington Delaware

Velda Jones-Potter  
City Treasurer

Louis L. Redding City/County Building  
800 French Street  
Wilmington, Delaware 19801-3537  
(302) 576-2480  
treasurer@wilmingtonde.gov



## City of Wilmington Treasurer's Report as of September 21, 2017

### Cash on Hand:

General Account	M & T Bank	\$10,146,685.24
Central Deposit	M & T Bank	\$45,878.38
Payroll	M & T Bank	\$344,280.85
Total Petty Cash Accounts	M & T Bank	\$11,421.58
Grant-In-Aid	M & T Bank	\$232,116.67
Evidence/Found Currency Account	M & T Bank	\$742,595.60
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,537.55
Police Department Discretionary	M & T Bank	\$35,369.66
Pension Payroll Account	M & T Bank	\$31,297.13
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$34.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,072.18
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$385,299.00
Police Pension Account	M & T Bank	\$554,804.22
Fire Pension Account	M & T Bank	\$136,419.32
Worker's Comp 3rd Party Account	M & T Bank	\$33,437.95
Retiree Healthcare Account	M & T Bank	\$405,990.62
<b>SubTotal</b>		<b>\$13,144,379.73</b>
<b>Total Cash on Hand</b>		<b>\$13,144,379.73</b>

**INVESTMENTS SEPTEMBER 21, 2017:**

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>GENERAL FUND:</b>						
General	WSFS	CD	9/28/2017	1.12%	\$5,280.01	\$2,502,863.01
General	WSFS	CD	9/28/2017	1.12%	\$5,155.07	\$3,000,000.00
General	WSFS	CD	9/28/2017	1.10%	\$1,747.95	\$2,000,000.00
General	WSFS	CD	10/12/2017	1.12%	\$4,295.89	\$2,500,000.00
General	WSFS	CD	10/26/2017	1.12%	\$8,469.04	\$3,000,000.00
General	WSFS	CD	10/30/2017	1.12%	\$8,100.82	\$3,000,000.00
General	WSFS	CD	10/31/2017	1.10%	\$5,605.48	\$3,000,000.00
General	WSFS	CD	11/8/2017	1.10%	\$4,155.44	\$2,507,000.75
General	WSFS	CD	11/15/2017	1.12%	\$6,520.55	\$2,500,000.00
General	TD	CD	11/28/2017	1.08%	\$13,500.00	\$5,000,000.00
General	WSFS	CD	11/28/2017	1.12%	\$7,517.81	\$2,500,000.00
General	TD	CD	12/7/2017	1.06%	\$6,772.22	\$2,500,000.00
General	TD	CD	12/20/2017	1.06%	\$6,183.33	\$2,000,000.00
General <sup>1</sup>	WSFS	CD	11/15/2017	1.12%	\$50,390.66	\$15,492,410.16
<b>SUB-TOTAL:</b>						<b>\$51,502,273.92</b>
<b>CAPITAL FUND:</b>						
Capital	TD	CD	10/26/2017	1.12%	\$74,666.67	\$20,000,000.00
Capital	TD	CD	10/26/2017	1.12%	\$32,760.00	\$8,775,000.00
Capital	WSFS	CD	11/1/2017	1.10%	\$23,289.86	\$7,360,000.00
<b>SUB-TOTAL:</b>						<b>\$36,135,000.00</b>
<b>RISK MGMT:</b>						
Risk Management	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Worker's Comp	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Retiree Medical Escrow	Vanguard-OPEB					\$18,581,305.00
<b>SUB-TOTAL:</b>						<b>\$34,420,607.00</b>
<b>PENSION FUND:</b>						
Non-Uniform 1990	WSFS	CD	9/28/2017	1.12%	\$3,942.09	\$4,430,000.00
Fire Pension	WSFS	CD	9/28/2017	1.12%	\$1,285.28	\$1,444,358.00
Police Pension	WSFS	CD	9/28/2017	0.90%	\$114.41	\$160,000.00
Escrow Pension	Vanguard					\$43,556,104.00
Escrow Pension	Black Rock					\$24,080,106.00
Escrow Pension	Edgar Lomax					\$26,995,873.00
Escrow Pension	Wilmington Trust					\$49,891,215.00
Escrow Pension	Manning & Napier					\$15,328,093.00
Escrow Pension	Earnest Partners					\$22,490,228.00
Escrow Pension	MFS Management					\$28,304,873.00
Escrow Pension	American Funds					\$15,110,045.00
<b>SUB-TOTAL:</b>						<b>\$231,790,895.00</b>
<b>OTHER:</b>						
Deferred Comp.	MassMutual					\$45,176,679.50
<b>Total Investments</b>						<b>\$399,025,455.42</b>
<b>Total Cash on Hand</b>						<b>\$13,144,379.73</b>
<b>Grand Total</b>						<b>\$412,169,835.15</b>

<sup>1</sup> Budget Reserve

*Velda Jones-Potter*  
**Velda Jones-Potter, City Treasurer**

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## **NON-LEGISLATIVE BUSINESS**

McCoy	Sympathy Alice E. Graham Harris
Oliver	Sympathy Dora Maryjane Carter
Shabazz	Sympathy Ruth Josephine Patterson
Shabazz	Sympathy Helen Allen
Shabazz	Sympathy William Carter
Shabazz	Sympathy Shelly Lynn Brittingham
Shabazz	Sympathy Chester Montgomery
Walsh	Sympathy Retired Police Captain William Lynch
Williams	Sympathy Retired Police Master Corporal Victor W. Harris

As there were no presentations this evening, upon a motion of Council Member Walsh, seconded by Council Members Freel and Williams, the Council moved into legislative business. Motion prevailed.

## **LEGISLATIVE BUSINESS**

President Shabazz: Councilman Chukwuocha.

Council Member Chukwuocha: Madam President thank you. I would like to hold Agenda #4389, Ordinance 17-026.

It was duly-noted to hold Agenda #4389 (Ord. 17-026).

Council Member Chukwuocha: Thank you and I have four Resolutions to present and three to present on your behalf.

Council Member Chukwuocha presented Resolution No. 17-057 (Agenda #4402) as follows:

**WHEREAS**, the late Mr. Joe Brumskill was a pillar for service within the City of Wilmington and especially in his home Harlan Park community within the First District. The Wilmington City Council wishes to pay tribute to Mr. Brumskill for his tireless contributions to improve the quality of life for all Wilmingtonians, especially underserved youth; and

**WHEREAS**, the Brumskill family was among the first African Americans to integrate the Harlan Park community when they moved into their home on Monroe Street. Joe had a long history of civic and educational community service. He served on the Cab Calloway School of the Arts Advisory Board. Under the former Wilmington School District, he served as the President of the Harlan Elementary School Home and School Association and as President of the Wilmington Home and School Community Council. He was also a member of the 1978 Governor's School Desegregation Committee. Mr. Brumskill also helped to bring the Children's Defense Fund-Freedom School to Wilmington. He loved to bring people together for the common good, and for

years he brought mentors and the arts into the P.S. DuPont School and Harlan Elementary Schools; and

**WHEREAS**, he was very active in the Harlan Park Civic Association where he served many years as the organization's President; and

**WHEREAS**, Mr. Brumskill served on the Brandywine School Board and worked closely with the community when the State Department of Education changed the feeder patterns. He was also a very strong advocate for the creation of the Brandywine School District Early Childhood Assistance Program and its relocation to the P.S. DuPont Middle School. Mr. Brumskill served as a community liaison on the parent and community advisory committee for the Brandywine School District Early Childhood Assistance Program; and

**WHEREAS**, the Harlan Park community supports the recommendation to honor Mr. Joe Brumskill by renaming the Brandywine School District Early Childhood Assistance Program to the Joe Brumskill Early Childhood Assistance Program. This dedication is a true tribute to a legacy of service to ensure that everyone received a quality education.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this Council supports the First District community and the Brandywine School District in its efforts to rename the Brandywine School District Early Childhood Assistance Program to the Joe Brumskill Early Childhood Assistance Program.

Council Members Harlee and Williams asked to be added as a cosponsor.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Walsh and Freel, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Chukwuocha presented Resolution No. 17-058 (Agenda #4403) as follows:

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

**WHEREAS**, the City, through the Department of Parks and Recreation, applied for a Wilmington Safe Haven Community Center Summer Programing Grant from the Delaware Department of Health and Human Services in the amount of \$10,000; and

**WHEREAS**, the proposed grant funds will be used to extend the hours of the Safe Haven program at William "Hicks" Anderson Community Center, and

**WHEREAS**, no matching funds are required; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Parks and Recreation's grant application to the Delaware Department of Health and Human Services in the amount of \$10,000 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Walsh and Freel, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Chukwuocha presented Resolution No. 17-059 (Agenda #4404) as follows:

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

**WHEREAS**, the City, through the Department of Parks and Recreation, applied for a Strategic Prevention Framework-Partnership for Success Grant from the Delaware Department of Health and Human Services Division of Substance Abuse & Mental Health in the amount of \$5,000.00; and

**WHEREAS**, the proposed grant funds will be used to provide additional athletic programming and a cleanup effort around William "Hicks" Anderson Community Center and Helen Chambers Park, and

**WHEREAS**, no matching funds are required; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Parks and Recreation's grant application to the Delaware Department of Health and Human Services Division of Substance Abuse & Mental Health in the amount of \$5,000.00 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Walsh and Freel, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Chukwuocha presented Resolution No. 17-060 (Agenda #4405) as follows:

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

**WHEREAS**, the City, through the Department of Parks and Recreation, applied for a Tobacco Prevention Grant from the American Lung Association in Delaware in the amount of \$15,000.00; and

**WHEREAS**, the proposed grant funds will be used to prevent the use of tobacco products and increase opportunities for daily physical activity for children and their families through the Winter Basketball League, and

**WHEREAS**, no matching funds are required; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Parks and Recreation's grant application to the American Lung Association in Delaware in the amount of \$15,000.00 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Freel and McCoy, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas,

Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

On behalf of President Shabazz, Council Member Chukwuocha presented Resolution No. 17-061 (Agenda #4406) as follows:

**WHEREAS**, at the request of the Wilmington City Council, the Centers for Disease Control and Prevention (“CDC”) conducted an investigation into youth firearm violence in Wilmington; and

**WHEREAS**, in 2015, the CDC issued its final report assessing gun violence through a public health lens, taking into account a variety of complex factors which could contribute to an individual’s participation in gun-related criminal activity and offering recommendations to identify high-risk individuals and provide services to intervene before the commission of violence; and

**WHEREAS**, the Delaware Department of Health and Social Services, in conjunction with City and community leaders, convened the CDC Community Advisory Council, composed of key community stakeholders to provide recommendations on the proposed, evidence-based, integrated services to be provided to youth who are considered at high risk of committing violence; and

**WHEREAS**, the recommendations of that CDC Community Advisory Council have been shared with the Delaware Department of Education, undoubtedly a key stakeholder and a pivotal component of many of the proposals; and

**WHEREAS**, according to the National Survey for Children’s Health, more than 60% of Wilmington children have experienced some form of trauma in their lives, with 27.5% having two or more adverse experiences, compared to the Delaware average of 22.8%; and

**WHEREAS**, during the academic year, children spend the vast majority of their weekdays interacting with school and school transportation personnel, including crossing guards and bus drivers; and

**WHEREAS**, it is imperative that young men and women live in caring communities, which help them to develop and foster positive personal and social assets for resilience, and that they have opportunities to focus on personal pathways to success that address individual and community trauma.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that City Council respectfully encourages all Delaware educators and educational staff members who interact with children, including crossing guards and bus drivers, to be provided with professional development training related to trauma-informed practice. Council believes that the provision of such training will help educational practitioners and staff in their interactions with children who may have experienced personal or community trauma, and to improve outcomes for those children as a result.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Walsh, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

On behalf of President Shabazz, Council Member Chukwuocha presented Resolution No. 17-062 (Agenda #4407) as follows:

**WHEREAS**, according to the Rodel Foundation in Delaware, there are approximately 136,000 students enrolled in Delaware public schools; and

**WHEREAS**, our children are our future leaders and changemakers, and leaders in Delaware have the responsibility to ensure their safety and provide transportation to and from school that will be secure and fair to the wellbeing of students; and

**WHEREAS**, school districts in various states, including Delaware, as well as some private bus companies, utilize school bus cameras as a means to ensure child safety and provide evidence for disciplinary investigations; and

**WHEREAS**, some school districts, both in Delaware and in other states, have implemented policies that specify the length of retention of video footage from school buses as a means to ensure safety and the fairness of disciplinary processes for students; and

**WHEREAS**, given the increased utilization of school bus cameras in schools and districts across the country, Delaware would be well-served by implementing a policy governing uniform standards for retention of video footage and processes for access and review following a documented incident.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that City Council respectfully encourages the Delaware Department of Education to implement a policy that would require the retention of video footage from school buses for a uniform period of time in schools throughout Delaware, as well as to establish processes for footage access and review following an incident. City Council further encourages the Department of Education to explore additional funding avenues to assist school districts in implementing this policy.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Walsh, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

On behalf of President Shabazz, Council Member Chukwuocha presented Resolution No. 17-063 (Agenda #4408) as follows:

**WHEREAS**, the City of Wilmington is responsible for the provision of a broad range of services to residents and guests of Delaware's largest municipality, and on a daily basis City officials work to address challenges and opportunities related to the economic, cultural and social dimensions of life in Wilmington; and

**WHEREAS**, the exercise of these duties and the fulfillment of the pursuant obligations often times can benefit from the value of research and the proposition of data- and research-driven recommendations; and

**WHEREAS**, the City of Wilmington has historically benefitted from the proximity of the University of Delaware and Delaware State University, high-quality and well-regarded research institutions with the capacity to provide substantial support in the realm of research and policy, through both institutional partnerships and through the engagement of individuals and research centers with the City and its various departments and agencies; and

**WHEREAS**, it is in the best interests of the City of Wilmington, the University of Delaware and Delaware State University to formalize a relationship of mutual benefit – one which has been built over time through individual projects, collaborations, and both internships and fellowships for students, with resulting value for the Universities through community engagement and student enrichment, and for the City through access to high-quality research and data, as well as to University personnel; and

**WHEREAS**, City Code Sec. 2-10 establishes guidelines for relationships between the City of Wilmington and other governmental or quasi-governmental agencies, requiring City Council endorsement of such agreements as the present; and

**WHEREAS**, the purpose of establishing a Mutual Support Agreement between the City of Wilmington, the University of Delaware and Delaware State University (the "Agreement") is to establish a framework for the parties to cooperate and collaborate together as key institutions addressing the most compelling challenges and opportunities faced by the City; and

**WHEREAS**, under the Agreement, the parties will endeavor to organize and exchange data, information, and knowledge pertaining to economic, fiscal, social, cultural, physical characteristics, and needs of the City, as well as work together to design and execute research projects that produce useable knowledge about the nature, scope, and scale of problems and opportunities faced by the city, and alternatives ways of managing them.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILIMINGTON**, that the Agreement between the City of Wilmington, the University of Delaware and Delaware State University, a copy of which is attached hereto and made part hereof as "Exhibit A", is hereby approved and the Mayor or his or her designee is hereby authorized and directed to execute as many copies of the said Agreement as may be necessary, and to take any further steps necessary to effectuate this Agreement and fulfill the City's obligation under the Agreement.

Council Members Dixon and Oliver asked to be added as a cosponsor and it was duly-noted.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Walsh, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted. Council Member Oliver.

Council Member Oliver: Madam President, I have a Resolution to present.

Council Member Oliver presented Resolution No. 17-064 (Agenda #4409) 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) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; 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 approved for disposition, by resolution of City Council, the Department of Real Estate and Housing 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 organization; and

**WHEREAS**, the City currently owns real property located at 301 East 15<sup>th</sup> Street a.k.a. 1500 North Walnut Street, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-029.30-126 (the "Property"); and

**WHEREAS**, the City of Wilmington Office of the Mayor, on behalf of the Department of Real Estate and Housing, and/or their respective designees, (the "City") is seeking a long-term use for the Property; and

**WHEREAS**, Urban Bike Project of Wilmington, Inc. ("Urban Bike") is a non-profit organization based in Wilmington with a focus on education and mechanical self-reliance and seeks to serve the community's needs by educating and promoting cycling as a safe, practical, cost-efficient mode of transportation; and

**WHEREAS**, Urban Bike seeks to use the Building on the Property ("Shop") as a mechanic shop and will have a full complement of shop quality tools and educational and mechanical programs to assist City of Wilmington residents and youth in need; and

**WHEREAS**, Cityfest, Inc. (“Cityfest”) is a non-profit organization based in Wilmington that solicits sponsorships and grants that subsidize the City of *Wilmington's* financial and staffing contributions to arts and cultural programs;

**WHEREAS**, Cityfest wishes to use the grounds and stables on the Property (“Demised Premises”) to provide a stimulating environment for collaborative creative endeavors between community residents and artists of various arts genres and mediums, to develop and present works of art that are multidisciplinary in nature, as well as programming that will include community-driven children's and teen arts initiatives, artist-lead workshops, and arts-focused public discussions;

**WHEREAS**, the City has agreements with both Cityfest and Urban Bike, for fifteen (15) year leases of the Property, with the option to extend for a second fifteen (15) year term; and

**WHEREAS**, the lease agreements with Cityfest and Urban Bike are anticipated to commence January 1, 2018 and are subject to an Access Agreement between the parties that will govern mutual access and security measures; and

**WHEREAS**, the lease agreements with Cityfest and Urban Bike Project are subject to fundraising requirements to renovate the Shop and Demised Premises; and

**WHEREAS**, Urban Bike’s lease is subject to a sublease requirement, wherein Urban Bike will sublet the second floor of the Shop or a portion thereof to Cityfest at a time to be determined.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City of Wilmington Office of the Mayor is hereby authorized and directed to enter into two lease agreements for the property located at 301 East 15<sup>th</sup> Street a.k.a. 1500 North Walnut Street (as depicted in Exhibit “B”) for a fifteen (15) year term, with the option to extend for a second fifteen (15) year term, each at a rate of \$1.00 per year, as evidenced in Exhibit “A” attached hereto, and the Chief of Staff is hereby authorized and directed to execute as many copies of said lease agreements as may be necessary.

Upon motion of Council Member Oliver, seconded by Council Members Walsh and Freel, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Member Turner. Total, one. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Council Member Harlee, any legislation tonight?

Council Member Harlee: No, thank you Council President.

President Shabazz: Council Member Turner.

Council Member Turner: Thank you Madam President. I have a Resolution to present.

Council Member Turner presented Resolution No. 17-065 (Agenda #4410) as follows:

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

**WHEREAS**, the City, through the Department of Public Works, applied for a Surface Water Matching Grant from the Delaware Department of Natural Resources and Environmental Control in the amount of \$40,000; and

**WHEREAS**, the Friends of Cool Spring Neighborhood Association and Engineers without Borders performed preliminary work with respect to the grant request, which aided the City with it;

**WHEREAS**, the proposed grant funds will be used design a Green Infrastructure solution to the flooding of the playgrounds located in Cool Spring Park and Tilton Park and reduce Combined Sewer Overflow nearby; and

**WHEREAS**, the Public Work's Department intends to provide \$40,000 of already budgeted funds to meet the grant's matching funds requirement; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Public Works' grant application to the Delaware Department of Natural Resources and Environmental Control in the amount of \$40,000 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City. Although the grant requires that the City provide 100% in matching funds, the Department of Public Works intends to provide matching funds of \$40,000 from already budgeted funds.

Upon a motion of Council Member Turner, seconded by Council Member Walsh, the above Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have an Ordinance to present and call for the third and final reading.

Council Member Turner presented and called for the third and final reading Ordinance No. 17-027 (Agenda #4390) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/  
PARKING REGULATIONS

Council Member Turner: Madam President, I have a **Substitute** to present in lieu of that ordinance:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/  
PARKING REGULATIONS

Upon a motion of Council Member Turner, seconded by Council Members Walsh and Williams, the aforementioned **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have an Ordinance to present and call for the third and final reading.

Council Member Turner presented and called for the third and final reading Ordinance No. 17-028 (Agenda #4391) entitled:

AN ORDINANCE TO AUTHORIZE A FLEET  
MANAGEMENT AND MAINTENANCE CONTRACT  
WITH FIRST VEHICLE SERVICES, INC.

Council Member Turner: Madam President, I have a Sub - **Substitute** to present in lieu of that ordinance:

AN ORDINANCE TO AUTHORIZE A FLEET  
MANAGEMENT AND MAINTENANCE CONTRACT  
WITH FIRST VEHICLE SERVICES, INC.

Upon a motion of Council Member Turner, seconded by Council Members Walsh and Williams, the above **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have an Ordinance to present and call for third and final reading.

Council Member Turner presented and called for the third and final reading Ordinance No. 17-032 (Agenda #4398) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE  
A TWO-YEAR CONTRACT BETWEEN THE CITY  
OF WILMINGTON AND PENN/MD MATERIALS,  
DIV. OF H&K GROUP, INC.

Upon a motion of Council Member Turner, seconded by Council Member Walsh, the above Substitute Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have an Ordinance to present and call for the third and final reading.

President Shabazz: No, you're doing a Resolution – 4412.

Several Members: 4411.

President Shabazz: Oh 11, I'm sorry.

Council Member Turner: That was 11.

Several Members: No.

Council Member Freel: The Parking Authority.

President Shabazz: The Parking Authority

Council Member Turner: 4411, right? Okay.

Mrs. Seijo (City Clerk): Resolution.

Council Member Turner: Madam President, I have a Resolution to present.

Council Member Turner presented Resolution No. 17-066 (Agenda #4411) as follows:

**WHEREAS**, § 3-802 of the Wilmington Home Rule Charter provides that the Wilmington Parking Authority shall continue to be governed by the provisions of Title 22, Delaware Code, Chapter 5, until otherwise changed by law; and

**WHEREAS**, 22 Del. C. § 507 (also appearing as § 2-202 of the Related Laws part of the Wilmington City Code) provides inter alia that the Mayor shall appoint, for staggered terms of five (5) years each, the five (5) members of the Wilmington Parking Authority, subject to confirmation by the City Council; and

**WHEREAS**, Mayor Michael S. Purzycki wishes to reappoint Patrick T. Carter, Richard L. Emge, Esquire, and Jeffrey J. Starkey (whose terms expired June 30, 2016, June 30, 2015, and June 30, 2017, respectively) to the Board of Directors of the Wilmington Parking Authority to serve as members of the said Board for terms to expire on June 30, 2021, June 30, 2020, and June 30, 2022, respectively; and

**WHEREAS**, the Wilmington City Council approves of said reappointments and wishes to confirm the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council hereby approves and confirms the reappointments by Mayor Michael S. Purzycki of Patrick T. Carter, Richard L. Emge, Esquire, and Jeffrey J. Starkey to the Board of Directors of the Wilmington Parking Authority for terms ending June 30, 2021, June 30, 2020, and June 30, 2022, respectively.

Upon a motion of Council Member Turner, seconded by Council Members Williams and Walsh, the above **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have a Resolution to present on your behalf.

On behalf of President Shabazz, Council Member Turner presented Resolution No. 17-067 (Agenda #4412) as follows:

**WHEREAS**, the Northeast Corridor is home to vibrant cities, including Wilmington, that contain attractions and opportunities for residents and visitors to enjoy; and

**WHEREAS**, however, aging infrastructure and growing populations have led to challenges related to effectively providing transportation to and from major cities in the Northeast Corridor, and Wilmington is no exception; and

**WHEREAS**, Delawareans and Wilmingtonians, including members of the Wilmington City Council, have long advocated for the inclusion of additional transportation options for the City and the surrounding area; and

**WHEREAS**, the City Council applauds the Federal Railroad Administration for its decision to aid in addressing this problem by including in its proposed Rail Investment Plan for the Northeast Corridor the addition of a train station just north of Chester, Pennsylvania, and to offer direct train access from Delaware stations to this line to allow access to the Philadelphia International Airport; and

**WHEREAS**, this proposal would create faster, more timely and frequent passenger transit through the Northeast Corridor, providing a remedy for long commutes and encouraging the public to utilize this resource; and

**WHEREAS**, enhanced public transportation infrastructure in this region would benefit the City of Wilmington through expanded and efficient transportation that would not only positively impact residents, but encourage visitors that would in turn help improve the economic growth of the City; and

**WHEREAS**, the creation of passenger rail tracks that provide residents and visitors of Delaware direct access to and from the Philadelphia Airport will also encourage the use of public transportation, thereby reducing the environmental impact of commuting by private vehicle and expanding transit options for those who do not have a car; and

**WHEREAS**, the encouraged use of this efficient mode of transportation will also aid in reducing the amount of traffic congestion endured during peak commuting hours, and could provide another transportation option for low-income residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council supports the decision of the Federal Railroad Administration to include in its proposed Rail Investment Plan for the Northeast Corridor the creation of a direct-to-airport train for Delawareans and those utilizing public transportation in the Northeast Corridor, and encourages swift action at the federal level to move this proposal forward and to adopt final plans for its implementation. The Council stands at the ready to continue to support and advocate for this vital transit infrastructure expansion.

Upon a motion of Council Member Turner, seconded by Council Members Williams and Dixon, 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President that's all I have tonight.

President Shabazz: Thank you. Council Member McCoy.

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Council Member Williams.

Council Member Williams: Yes Madam President, I guess we'll start into this – I move Council dissolve into the Committee of the Whole for the purpose of holding a public hearing regarding item 4413.

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

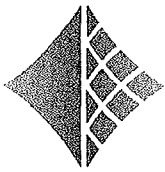
### **PUBLIC HEARING**

**PROPOSED AMENDMENTS TO THE SOUTHWEST NEIGHBORHOOD COMPREHENSIVE DEVELOPMENT PLAN AND AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETERY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30-060, CONTAINING APPROXIMATELY 26.82 ACRES, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY'S CORPORATE BOUNDARIES (ORDINANCE NO. 17-029)**

The City Clerk read both Affidavits of Publications into one. Upon a motion of Council Member Williams, seconded by Council Members Freel and Dixon, the Affidavits of Publications was made a part of the record. Motion prevailed.

*Note: The Affidavits of Publications was added into the record and is attached herein as an insert from Page 24 through Page 28.*

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



# The News Journal Media Group

A GANNETT COMPANY

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

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

Mailing Address:  
P.O. Box 15505  
Wilmington, DE 19850

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

SD CITY OF WILMINGTON  
800 N FRENCH ST

WILMINGTON, DE 19801

## AFFIDAVIT OF PUBLICATION

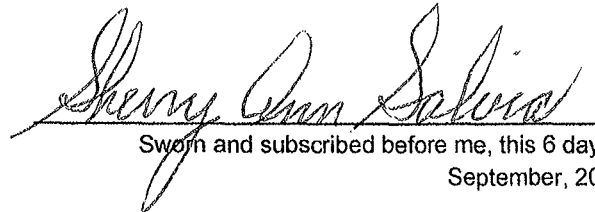
### State of Delaware

#### New Castle County

Personally appeared **The News Journal**

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

09/06/17 A.D 2017

  
Sworn and subscribed before me, this 6 day of  
September, 2017

Linda Barber

Ad Number: 0002387335



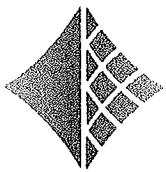
Legal notification printed at larger size for affidavit.

NOTICE IS HEREBY GIVEN that a public hearing to consider amendments to the "Southwest Neighborhood Comprehensive Development Plan" to be held by the Wilmington City Council in the Council Chambers on September 21, 2017 at 6:30 p.m. pursuant to Resolution No. 17-053

Maribel Seijo  
City Clerk  
9/6/17-NJ

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0002387335-01



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SD CITY OF WILMINGTON  
800 N FRENCH ST

WILMINGTON, DE 19801

## AFFIDAVIT OF PUBLICATION

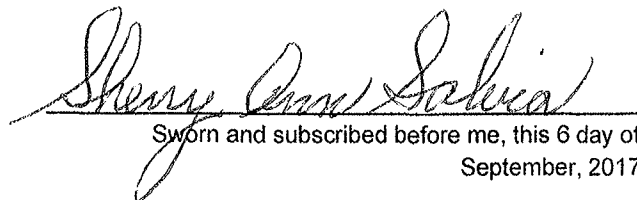
### State of Delaware

#### New Castle County

Personally appeared **The News Journal**

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

09/06/17 A.D 2017

  
Sworn and subscribed before me, this 6 day of  
September, 2017

Linda Barber

Ad Number: 0002387313



Legal notification printed at larger size for affidavit.

Notice of time and place of a public hearing before City Council of the City of Wilmington on Ordinance No. 17-029, which proposes to amend Chapter 48 of the Wilmington City Code of the City of Wilmington.

Please take notice that a public hearing will be held in the Council Chambers, 1st floor, City/County Building, 800 French Street, Wilmington, Delaware on September 21, 2017 at 6:30 p.m. before City Council of the City of Wilmington, sitting as a Committee of the Whole, for the purpose of considering Ordinance No. 17-029 entitled:

AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETERY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30—060, CONTAINING APPROXIMATELY 26.82 ACRES CONTIGUOUS WITH THE CITY'S BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP — FLOOD DISTRICTS— AND TO ADD THE ANNEXED TERRITORY TO THE CITY'S CORPORATE BOUNDARIES

Ordinance No. 17-029 was introduced in City Council at a regular meeting held on August 31, 2017 and received 1st & 2nd readings at that time. A Resolution was adopted by City Council at the meeting of City Council held on August 31, 2017 directing that a public hearing on same be held by City Council on September 21, 2017 at 6:30 p.m. in the Council Chambers and directed that the President of City Council and the City Clerk of the City of Wilmington give public notice of the said hearing in the manner and form required by the Zoning Enabling Act and that ordinance.

Ordinance No. 17-029 proposed to amend the existing Zoning ordinance of the City and its accompanying map.

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

The text, map, and report of the City Planning Commission related to this proposed amendment may be examined in the City Clerk's Office, 9th floor, City/County Building from 8:30 a.m. to 4:30 p.m. Except Saturday, Sunday, and Holidays.

By direction of City Council  
HANIFA SHABAZZ, President  
City Clerk  
MARIBEL SEIJO  
9/6/17-NJ

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0002387313-01

The City Clerk read the Planning Commission Report. Upon a motion of Council Member Williams, seconded by Council Member Freel, the Planning Commission Report was made a part of the record and is on file at the City Clerk's Office and/or the Planning Department. Motion prevailed.

President Shabazz: I ask that the Planning Department representative come forward and present their report.

Department of Planning Representative: Good evening. My name I'm John Kurth with the City of Wilmington Department of Planning.

Tonight, I will be speaking to both the Comprehensive Development Plan amendments proposed for the Southwest Analysis Area, and Ordinance 17-029, which is the subject of the second public hearing, and that supports the annexation and rezoning of the portion of Cathedral Cemetery that currently exists within New Castle County.

On May 22, 2017, Catholic Cemeteries, Inc., the owners of Cathedral Cemetery at 2400 Lancaster Avenue, filed a Petition for Annexation to initiate the annexation of the southern portion of the cemetery, consisting of 26.82 acres situated within New Castle County, into Wilmington's boundaries. The remaining 20.45 acres of the cemetery are situated within the City of Wilmington's corporate limits.

Currently, due to the City/County boundary line that bisects the cemetery, there have been, at times, questions as to whether the City of Wilmington, New Castle County or the Town of Elsmere should respond to calls for police, fire or ambulance service requests. One of the purposes of this annexation is to consolidate both parcels of cemetery land into one jurisdiction so that calls for police and fire protective services, and ambulance services, are the City of Wilmington's responsibility.

At its August 15<sup>th</sup> meeting, the City Planning Commission approved two Resolutions. The first recommends amendments to the Southwest Comprehensive Development Plan to establish the appropriate land use and zoning classifications for the territory to be annexed, which in this case, is medium density residential and R-3 zoning, respectively. The second recommends the annexation of the territory and the establishment of an R-3 zoning designation.

This legislative process has followed the procedural requirements outlined in Section 101A of Title 22 of the Delaware Code. Title 22 requires that any annexation proposed by a municipality with a population of greater than 50,000 residents be consistent with the most recently adopted municipal comprehensive development plan. Title 22 also provides the criteria for the review of annexation petitions.

As part of our analysis, a Municipal Annexation Plan of Services report was prepared, indicating the services the municipality expects to be provided, how they will be provided, and fiscal and operating capabilities to provide such services. The Police Chief and Fire Chief confirmed that their respective departments will provide services to the

territory to be annexed, and that this annexation action would not adversely impact their personnel's daily duties.

The Mayor and Public Works Commissioner signed this Plan of Services report, and the Planning Department has provided it to the Office of State Planning Coordination, along with the signed Planning Commission resolutions, as required by State law, for their review and certification. Yesterday, the Department of Planning received correspondence that the Office of State Planning Coordination has approved and accepted this Plan of Services report.

The County parcel proposed for annexation is zoned S (Suburban) and is surrounded by three different zoning categories instituted by three different local governments: the City of Wilmington's R-3 district to the north and east, New Castle County's NC5 (Neighborhood Conservation) district opposite the CSX Railroad right-of-way to the west, and the Town of Elsmere's R-GA (Garden Apartment) district to the south. Generally, Wilmington's R-3 One Family Row Houses zoning district contains the Union Park Gardens and Canby Park Estates neighborhoods, as well as most of The Flats residential development owned by Woodlawn Trustees.

The Silverbrook Gardens housing development, zoned R-GA, is situated directly south of the subject parcel, within the Town of Elsmere's corporate limits. The Colonial Heights neighborhood in New Castle County, zoned NC5, is situated due west of the CSX railroad right-of-way and the Cathedral Cemetery property.

The R-3 zoning category is proposed for the annexed territory. The R-3 One Family Row Houses zoning designation is meant to conserve and maintain one family attached housing units (generally, three to ten units) for one family use in a neighborhood setting. Because this proposed zoning is consistent with the zoning of the immediately surrounding area, there was no need to give consideration to alternative zoning classifications for the annexed territory. Given the City's policy of keeping entire parcels singularly zoned, the proposed R-3 zoning is appropriate, as the portion of the cemetery situated within the City boundaries is zoned R-3. R-3 zoning is also appropriate because it allows cemeteries as a permitted use.

As part of the amendments to the Neighborhood Comprehensive Development Plan, ten maps, labeled Maps A through J, have been updated and all now show the southern 26.82 acre portion of Cathedral Cemetery as part of the Southwest Analysis Area and City of Wilmington.

In addition, four maps are included as attachments to Ordinance 17-029. Map 1 shows the area of annexation, the southern territory of Cathedral Cemetery, in relation to the adjacent City of Wilmington corporate boundaries, as well as to New Castle County and the Town of Elsmere. Map 2 shows the zoning categories of the City of Wilmington, New Castle County, and the Town of Elsmere, as well as identifies the proposed zoning classification for the territory to be annexed into the City of Wilmington. Map 3 updates the Supplemental Building Zone Map with updated Federal Emergency Management

Agency Floodway Zones for Silverbrook Run Creek, which partially flows through the extreme southwestern corner of the cemetery property. Map 4 illustrates the portion of Cathedral Cemetery that is proposed to be added to Wilmington's 7<sup>th</sup> Councilmanic District.

The property owners have cited seven reasons why the territory should be annexed into the City of Wilmington, and they are as follows:

1. The Property forms a portion of what is known as the Cathedral Cemetery, the remaining portion of which lies within the boundaries of the City of Wilmington.
2. The sole access to the Property is located within the City of Wilmington.
3. The employees of Cathedral Cemetery who work at the Property pay City Wage Tax.
4. The annexation of the Property will eliminate jurisdictional questions regarding police and fire protection of the Property.
5. The Undersigned is the sole owner of the Property.
6. There are no other individuals or entities residing at the Property or who have a leasehold interest in the Property.
7. The owner of the Property constitutes one hundred percent (100%) of the qualified voters in the territory to be annexed.

This proposed annexation and corresponding rezoning would alleviate the concerns outlined above.

The locations of the cemetery's vehicular entrance and exit remain along Lancaster Avenue, within the City's boundaries, in the same places as developed in the cemetery's master plan dating from 1939. They are the only access to this fenced and gated 47-acre property.

The City of Wilmington's Finance Director confirmed that this annexation will result in no financial costs to the City of Wilmington's General Fund or Water/Sewer Fund.

Approximately 43% of Cathedral Cemetery is situated within the City of Wilmington's boundaries, and the remaining 57% of Cathedral Cemetery is situated within New Castle County. New Castle County Council Members Robert Woods and Jea Street, of the 1<sup>st</sup> and 10<sup>th</sup> Districts, respectively, were advised of this proposed annexation several months ago and did not have issues or concerns with this proposal. Likewise, Wilmington Council Member Robert Williams discussed this proposal with Planning staff in June and supports the proposed annexation.

In July 2017, John Giles, Elsmere's Town Manager, was notified of the proposed annexation taking place adjacent to Elsmere's corporate limits and its First Council District. The applicant's legal counsel also sent Elsmere's Solicitor the annexation plan and a statement from Catholic Cemeteries, Inc. that the use of the property would not

change, but would continue to be a cemetery, as it has been for over 140 years. Accordingly, the Town Manager and Solicitor of the Town of Elsmere have no issues or concerns with this annexation proposal, the territory of which lies adjacent to a portion of its northerly town boundary.

In summary, the legislation before you would approve the necessary amendments to the Comprehensive Development Plan to include the annexed territory into the City of Wilmington, and set the appropriate land use and zoning, as well as approve the annexation and rezoning of the land.

Once this annexation action and the comprehensive development plan amendments to the Southwest Analysis Area plan have been adopted, with approval by the Mayor, New Castle County will then follow a similar process where the Planning Board and County Council will review and approve the annexation legislation, which will be considered by the New Castle County Executive. The Office of State Planning Coordination Annexation Committee is then notified, and the agency's maps and records will be updated to reflect this annexation action. I am happy to answer any questions at this time.

President Shabazz: Any questions from members of Council?  
Councilwoman Walsh.

Council Member Walsh: So, John, what you're – bottom line saying is this is really just cemetery?

Mr. John Kurth: That is correct.

Council Member Walsh: So, there's no warm bodies who are going to be affected by this?

Mr. John Kurth: Well, the staff that work there but...

Council Member Walsh: But they already pay city wage taxes.

Mr. John Kurth: Yeah – no, it doesn't extend beyond their historic boundaries.

Council Member Walsh: Now, could the owner after doing this decide to subsidize this to put housing in there?

Mr. John Kurth: No...

Council Member Walsh: Okay.

Mr. John Kurth: ...that is not their intention.

Council Member Walsh: I'm kind of glad the News Journal isn't here tonight because we can see the headlines tomorrow – Democrats want more dead bodies on – on their voting rights.

Mr. John Kurth: The City of Wilmington's zoning code doesn't have a designation for cemeteries like "O" for open space...

Council Member Walsh: Right.

Mr. John Kurth: ...for parks, so, this is what we've historically used for cemeteries. For example, Riverside Cemetery is zoned R-3 as it has been for many decades and Wilmington and Brandywine Cemeteries is mostly zoned R-3 as Mount Salem Cemetery.

Council Member Walsh: Is the Wilmington one right off of Delaware Avenue?

Mr. John Kurth: Yes.

Council Member Walsh: Okay, like going to 95.

Mr. John Kurth: Right.

Council Member Walsh: I never knew what that one was called. Ok, thank you.

President Shabazz: Any other questions from members of Council? Is there anyone that like to speak "for" this report? Anyone like to speak "against" it? Council Member.

Council Member Williams: Madam President, I move that Council return to the regular order of business.

Upon a motion of Council Member Williams, seconded by Council Member Walsh, Council returned to Regular Order of Business. Motion prevailed.

### **REGULAR ORDER OF BUSINESS**

Council Member Williams: Madam President, I have a Resolution to present.

Council Member Williams presented Resolution No. 17-068 (Agenda #4413) as follows:

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

**WHEREAS**, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its meeting held on August 15, 2017; and

**WHEREAS**, at its meeting on August 15, 2017, the City Planning Commission passed Resolution 6-17, which recommended to City Council that the Southwest Neighborhood Comprehensive Development Plan be amended to revise Plan Maps A through J to include that certain property located at 2400 Lancaster Avenue, Wilmington, Delaware, being New Castle County Tax Parcel No. 07-036.30-060 (the "Property") within the City of Wilmington corporate limits, and to specify medium density residential land use and zoning for the site as depicted on the maps attached hereto and made a part hereof as Exhibit A through Exhibit J; and

**WHEREAS**, Ordinance No. 17-029 has been introduced to council and provides for the annexation of the Property and the rezoning of the Property from New Castle County zoning designation of S (Suburban) to R-3 (One Family Row Houses) in accordance with the recommendations of the Southwest Neighborhood Comprehensive Development Plan; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City Council hereby approves the amendments to the Southwest Neighborhood Comprehensive Development Plan, which would revise Plan Maps A through J to include the Property within the City of Wilmington corporate limits, and to specify medium density residential land use and zoning for the site as depicted in the maps attached hereto and made a part hereof as Exhibit A through Exhibit J.

**FISCAL IMPACT STATEMENT:** This Resolution does not have any fiscal impact on the City.

Upon a motion of Council Member Williams, seconded by Council Members Walsh and Freel, the Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted. The Clerk will read the committee report.

Mrs. Seijo (City Clerk): Yes.

The City Clerk read the following committee report:

<u>Community Development &amp; Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Nnamdi O. Chukwuocha	X		
Yolanda McCoy, Vice-Chair	X		
Ernest "Trippi" Congo, II		X	
Zanthia Oliver	X		
Va'Shun "Vash" Turner	X		
President Hanifa Shabazz, Ex Officio	X		

President and Members of Council of  
The City of Wilmington

September 14, 2017

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Ordinance No. 17-029** entitled:

AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETERY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30-060, CONTAINING APPROXIMATELY 26.82 ACRES, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY'S CORPORATE BOUNDARIES

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

Respectfully submitted, Members of  
Community and Economic Development Committee

/s/Rysheema Dixon, Chair

/s/Yolanda McCoy

/s/Zanthia Oliver

/s/Nnamdi O. Chukwuocha

/s/Va'Shun "Vash" Turner

/s/Hanifa Shabazz, Ex Officio Member

Upon a motion of Council Member Williams, seconded by Council Member Walsh, the above Report was received, recorded and filed. Motion prevailed.

The City Clerk read the Findings and upon a motion of Council Member Williams, seconded by Council Members Walsh and Freel, the below Findings were made a part of the record. Motion prevailed.

**MEMORANDUM**

**TO:** The Honorable Members of City Council (via email)

**CC:** Gary Fullman, Chief of Staff (via email)  
Maribel Seijo, City Clerk (via email)

**FROM:** William B. Larson, Jr.  
Assistant City Solicitor

**DATE:** September 21, 2017

**RE:** CITY COUNCIL FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO. 17-029 TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETARY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30-060, CONTAINING APPROXIMATELY 26.82 ACRES, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY'S CORPORATE BOUNDARIES.

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Enclosed please find a copy of the Findings prepared in connection with Council's scheduled Public Hearing on September 21, 2017, regarding the above-referenced ordinance. The Findings supplement the record of the Planning Commission and its report, as well as the record of the Council's Public Hearing, and the Law Department advises their inclusion in the record as a means of complying with Delaware Court decisions that involve zoning ordinances of County governments, but the principles of which apply to Wilmington as well.

In this instance, the Findings support the provisions of the Ordinance. The Findings and the Ordinance reflect the recommendations approved by the City Planning Commission at its regular meeting following its public hearing on August 15, 2017. At that meeting, the Planning Commission approved its Resolution No. 7-17, which approves the annexation. The enclosed Findings support those recommendations.

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

**FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO.**

**17-029**

Zoning Action:

Assign the zoning classification of R-3 to the Area of Annexation, 2400 Lancaster Avenue (the "Property"), the boundaries of which are described in the maps attached to Ordinance 17-029.

1. The Property includes Cathedral Cemetery part of which currently lies within the boundaries of the City of Wilmington and part of which currently lies outside the boundaries of the City of Wilmington.
2. The sole access to the Property is located within the City of Wilmington.
3. The employees of Cathedral Cemetery who work at the Property pay City Wage Tax.
4. The proposed action for the Property will eliminate jurisdictional questions regarding police and fire protection of the Property.
5. The Property and the remainder of Cathedral Cemetery are owned by the same entity.
6. There are no other individuals or entities that reside at the Property or have a leasehold interest in the Property.
7. The owner of the Property constitutes one hundred percent of the qualified voters in the territory to be annexed.
8. The proposed action is consistent with the Southwest Comprehensive Development Plan as proposed to be amended, which is being adopted by City Council Resolution contemporaneously herewith.
9. The proposed action will have no negative effect on population density patterns and will not overburden public utilities and facilities.
10. The proposed action will not seriously reduce light and air to adjacent areas, but will be consistent with and complementary to the zoning classifications of nearby zoning districts and the property uses therein.

11. The proposed action will not adversely affect property values in the adjacent areas, nor will it be a deterrent to the improvement or redevelopment of adjacent properties, but rather should have a positive effect.
12. The proposed action will best serve the public welfare and will not constitute a grant of any special privilege to any individual owner of property.
13. The proposed action will not be out of scale but rather will be consistent with the needs and current and future uses of the subject area and the City of Wilmington.
14. The proposed action is consistent with the adjacent zoning.
15. The proposed action adheres to the standards set forth in the applicable provisions of the City Code and Delaware law.

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

Council Member Williams presented and called for the third and final reading Ordinance No. 17-029 (Agenda #4392) entitled:

AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETERY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30-060, CONTAINING APPROXIMATELY 26.82 ACRES, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY’S CORPORATE BOUNDARIES

**FISCAL IMPACT STATEMENT:** Fiscal impact estimates there is no expenditure cost to either the City of Wilmington’s General Fund or Water/Sewer Fund for the next three fiscal years and beyond.

Council Member Williams: Based on the findings and what has been read into the record and presented before us, I received no negative responses in regarding this. So, I firmly stand behind this proposal.

President Shabazz: Roll call.

Upon a motion of Council Member Williams, seconded by Council Members Walsh and Dixon, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha: yes, based on the findings and community support; Oliver: yes, based on the findings and the community support; Harlee: yes, based on the findings and the community support and they're already paying wage taxes; Turner: yes, based on the findings and the community support; McCoy: yes, based on the findings and community support and the simplification of the jurisdictional areas; Williams: yes ma'am, based on the finding and the community support; Freel: yes, based on the findings; Adams: yes, based the findings; Dixon: yes, I support the findings from the Planning Department and the community; and Walsh: yes, based on the findings; and Council President Shabazz: yes, based on the findings. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have an Ordinance to present and call for the first and second reading.

Council Member Williams presented and called for the first and second reading Ordinance No. 17-035 (Agenda #4414) entitled:

AN ORIDNANCE TO AMEND CHAPTER 2 OF THE  
CITY CODE REGARDING THE ALLOCATION,  
APPROVAL AND NOTIFICATION OF GRANT AWARDS

**FISCAL IMPACT STATEMENT:** This Ordinance has no anticipated fiscal impact.

The above Ordinance was given two separate readings by title only and upon a motion of Council Member Williams, seconded by Council Member Walsh, the Ordinance was received, recorded and referred to the Finance Committee. Motion prevailed.

President Shabazz: Council Member Freel.

Council Member Freel: I have nothing this evening. Thank you.

President Shabazz: Council Member Adams.

Council Member Adams: No legislation this evening ma'am.

President Shabazz: Council Member Dixon.

Council Member Dixon: Yes Madam President, I have a Resolution to present.

Council Member Dixon presented Resolution No. 17-069 (Agenda #4415) as follows:

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

**WHEREAS**, City Code Section 2-10 requires agreements with other governmental or quasi-governmental agencies for mutual support be approved by Council; and

**WHEREAS**, the City, through the Department of Planning and Development, in partnership with New Castle County applied for a Cycling Infrastructure Innovation Grant from the Delaware Bicycle Council in the amount of \$20,000; and

**WHEREAS**, the proposed grant funds will be used study potential infrastructure improvements along and surrounding Augustine Cut-Off to improve accessibility to the City of Wilmington by bicycle and to improve bicyclist safety; and

**WHEREAS**, no matching funds are required for this grant; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Planning and Development's grant application to the Delaware Bicycle Council in the amount of \$20,000 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City because no matching funds are required for this grant.

Upon a motion of Council Member Dixon, seconded by Council Member Council Member 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted. Council Member Walsh.

Council Member Walsh: Yes Madam President, I have several things today.

Council Member Walsh presented and called for the third and final reading Ordinance No. 17-033 (Agenda #4400) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
MULTI-YEAR LEASE RENEWAL BETWEEN THE CITY  
OF WILMINGTON AND DRYWALL ASSOCIATES, LTD

**FISCAL IMPACT STATEMENT:** This Ordinance authorizes the execution of the Second Amendment to the Lease for the period of three (3) years from July 1, 2017 through June 30, 2020 at the annual rent of \$17,839.32, \$18,374.50, and \$18,925.74 for the first, second, and third years, respectively. At the option of the City, there is the possibility of three (3) additional extensions of one (1) year thereafter at the annual rent of \$19,493.16, \$20,077.95, and \$20,680.29 for the first, second, and third extensions, respectively.

Upon a motion of Council Member Walsh, seconded by Council Member 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

Council Member Walsh presented and called for the third and final reading Ordinance No. 17-034 (Agenda #4401) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
ONE (1) YEAR LEASE RENEWAL BETWEEN THE  
CITY OF WILMINGTON AND PORT PROPERTIES,  
LLC, WITH THE OPTION OF EXTEND FOR AN  
ADDITIONAL ONE (1) YEAR

**FISCAL IMPACT STATEMENT:** This Ordinance authorizes the execution of the Third Amendment to the Lease for the period of one (1) year from July 1, 2017 through June 30, 2018 at the annual rent of \$14,832.00. At the option of the City, there is the possibility of an additional extension of one (1) year thereafter from July 1, 2018 to June 30, 2019 at the annual rent of \$14,832.00.

Upon a motion of Council Member Walsh, seconded by Council Member Freel, 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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

On behalf of President Shabazz, Council Member Walsh presented Resolution No. 17-070 (Agenda #4416) as follows:

**WHEREAS**, during the most recent presidential election campaign, President Donald Trump made it apparent that he would be in support of concealed carry reciprocity. Legislation on the topic has since been introduced in the U.S. House of Representatives as H.R. 38, the Concealed Carry Reciprocity Act of 2017, and in the U.S. Senate as S. 446, the Constitutional Concealed Carry Reciprocity Act of 2017; and

**WHEREAS**, these bills would allow an individual with a valid carry permit in one state, to carry or possess a concealed handgun in another state that also permits concealed firearms; and

**WHEREAS**, in Delaware, there are specific regulations in place regarding carrying a concealed deadly weapon. The legislation presented at the federal level would essentially allow any individual with a valid carry permit issued in any state to carry a concealed weapon in any other state, which could result in additional firearms being brought into, and carried in, various cities - including Wilmington; and

**WHEREAS**, leaders in cities across the country have expressed concerns over the implications of this legislation related to the Gun-Free School Zone Act, which makes carrying a gun in a school zone a federal crime, as well as other local, state and federal policies and regulations; and

**WHEREAS**, the City of Wilmington has been working tirelessly to reduce the public health epidemic of gun violence in the City; and

**WHEREAS**, this legislation could make it difficult for the Wilmington Police Department to enforce appropriate regulations that would ensure the safety of those who reside in and visit this City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that City Council stands in opposition to S. 446, the Constitutional Concealed Carry Reciprocity Act of 2017, and H.R. 38, the Concealed Carry Reciprocity Act of 2017. These bills could potentially hinder the ability of the City and its law enforcement officials to maintain a safe environment for the people of Wilmington.

Upon a motion of Council Member Walsh, seconded by Council Member Chukwuocha, 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, Oliver, Harlee, Turner, McCoy, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Member Williams. Total, one. Absent, Council Members Congo and Guy. Total, two.

President Shabazz: Declare it adopted.

### **PETITIONS AND COMMUNICATIONS**

There were no petitions and communications this evening.

**ADJOURNMENT**

Upon a motion of Council Member Walsh, seconded by Council Members McCoy and Freel, Council adjourned at 7:56 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk