

*Wilmington, Delaware
Louis L. Redding
City/County Building
November 16, 2017*

Council met in regular session on the above date at 6:30 p.m., President Pro Tempore Loretta Walsh 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, Congo, Oliver, Harlee, Turner*, McCoy, Williams, Freel, Adams, Dixon, Guy and Walsh. Total, twelve. Absent, Council President Shabazz. Total, one.

MINUTES

After reading a portion of the minutes of November 2, 2017, upon a motion of Council Member Freel, seconded by Council Members Williams and Dixon, 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>
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		X	

President and Members of Council of
The City of Wilmington

November 15, 2017

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 17-037 entitled:

AN ORDINANCE TO ENACT CERTAIN 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/Ciro Adams, Vice-Chair
/s/Michelle Harlee

*Note: At this time, Council Member Turner was marked present.

Upon a motion of Council Member Turner, seconded by Council Member
Williams, the above 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>
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		X	

President and Members of Council of
The City of Wilmington

November 15, 2017

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 17-046 entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A MULTI-
YEAR CONTRACT BETWEEN THE CITY OF WILMINGTON
AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, 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/Michelle Harlee
/s/Ciro Adams, Vice-Chair

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

TREASURER'S REPORT

The following Treasurer's Report as of November 16, 2017, was read into the record by City Clerk and upon a motion of Council Member Freel, seconded by Council Member Williams, the Report was received, recorded and filed. Motion prevailed.

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

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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 November 16, 2017

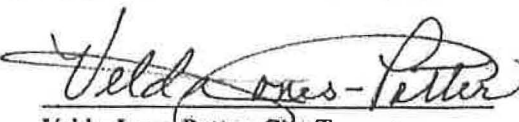
Cash on Hand:

General Account	M & T Bank	\$8,365,260.51
Central Deposit	M & T Bank	\$34,171.90
Payroll	M & T Bank	\$331,944.75
Total Petty Cash Accounts	M & T Bank	\$11,713.04
Grant-In-Aid	M & T Bank	\$231,734.67
Evidence/Found Currency Account	M & T Bank	\$716,105.60
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	\$34,033.04
Pension Payroll Account	M & T Bank	\$40,700.86
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$34.81
Non-Uniform Pension-Plan 2	M & T Bank	\$200,290.66
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$1,072.18
Police Pension Account	M & T Bank	\$284,578.87
Fire Pension Account	M & T Bank	\$61,731.11
Worker's Comp 3rd Party Account	M & T Bank	\$41,854.05
Retiree Healthcare Account	M & T Bank	\$299,402.83
SubTotal		\$10,692,305.40
Total Cash on Hand		\$10,692,305.40

INVESTMENTS NOVEMBER 16, 2017:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	WSFS	CD	11/28/2017	1.12%	\$7,517.81	\$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%	\$2,393.42	\$2,000,000.00
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	TD	CD	12/28/2017	1.09%	\$7,342.36	\$2,500,000.00
General	WSFS	CD	12/28/2017	1.12%	\$4,234.52	\$2,000,000.00
General	WSFS	CD	1/4/2018	1.12%	\$6,443.84	\$3,000,000.00
General	TD	CD	1/11/2018	1.09%	\$8,402.08	\$2,500,000.00
General	WSFS	CD	1/18/2018	1.12%	\$8,208.22	\$2,500,000.00
General	WSFS	CD	2/1/2018	1.12%	\$9,282.19	\$2,500,000.00
General	TD	CD	2/1/2018	1.14%	\$6,586.67	\$2,000,000.00
General ¹	WSFS	CD	1/30/2018	1.25%	\$41,015.72	\$15,542,800.82
SUB-TOTAL:						\$46,542,800.82
CAPITAL FUND:						
Capital	TD	CD	4/26/2018	1.25%	\$126,388.89	\$20,000,000.00
Capital	TD	CD	12/6/2017	1.10%	\$8,991.36	\$8,775,000.00
Capital	WSFS	CD	12/6/2017	1.12%	\$8,014.12	\$7,360,000.00
SUB-TOTAL:						\$36,135,000.00
RISK MGMT:						
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					\$19,057,941.00
SUB-TOTAL:						\$34,897,243.00
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	11/30/2017	1.12%	\$4,356.03	\$4,732,000.00
Fire Pension	WSFS	CD	11/30/2017	1.12%	\$641.09	\$696,425.00
Escrow Pension	Edgar Lomax					\$21,458,356.00
Escrow Pension	Vanguard Fixed					\$37,592,680.00
Escrow Pension	Earnest Partners					\$22,515,316.00
Escrow Pension	Wilmington Trust					\$37,604,525.00
Escrow Pension	Vanguard Stock Index					\$40,707,752.00
Escrow Pension	Artisan Global					\$7,765,238.00
Escrow Pension	Dodge & Cox					\$10,866,080.00
Escrow Pension	Fidelity					\$19,150,248.00
Escrow Pension	Harding Loevner					\$7,931,607.00
Escrow Pension	MFS Management					\$22,213,898.00
SUB-TOTAL:						\$233,234,125.00
OTHER:						
Deferred Comp.	MassMutual					\$45,754,362.59
Total Investments						\$396,563,531.41
Total Cash on Hand						\$10,692,305.40
Grand Total						\$407,255,836.81

¹ Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Freel, seconded by Council Members Williams and Dixon, the following non-legislative resolutions were accepted into the record and motion prevailed:

Congo	Sympathy DeNormus Vernon Thomas
Oliver	Celebrate Ministry of Caring - 40th Anniversary
Shabazz	Recognize Rovella Debrick (90th Birthday)
Shabazz	Recognize Brother Ronald Giannone and Dr. Janice E. Nevin (Wilmington Senior Center Lifetime Achievement Award recipients)
Shabazz	Recognize Blacks in Government - Region III Training Conference
Shabazz	Recognize George Krupanski (Boys and Girls Club)
Williams	Commend Stephen Davis

LEGISLATIVE BUSINESS

President Pro Tempore Walsh: Mr. Chukwuocha.

Council Member Chukwuocha: Thank you Madam Pro Temp, yes, I have four Resolutions to present to on behalf of Madam President Shabazz and two for myself.

On behalf of President Shabazz, Council Member Chukwuocha presented Resolution No. 17-083 (Agenda #4443) as follows:

WHEREAS, the Wilmington City Council is committed to celebrating diversity and fostering a culture of inclusivity in the City of Wilmington; and

WHEREAS, the City of Wilmington is home to a diverse population of residents who celebrate many different holidays and traditions sacred to their cultural and religious heritages; and

WHEREAS, the holiday season is approaching and the City is preparing to celebrate these joyous occasions with festivities and displays.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Wilmington City Council does hereby resolve to recognize and celebrate diverse holidays that reflect the cultural and religious heritages of its fine citizens. Such holidays include, but are not limited to, Christmas, Hanukkah and Kwanzaa.

BE IT FURTHER RESOLVED, that Wilmington City Council encourages all City departments to consider the principles of inclusivity when planning holiday celebrations and displays.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Freel and Williams, the Resolution was before the Council for its consideration and Council Member Chukwuocha spoke on the purpose of the Resolution.

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

President Pro Tempore Walsh: Declare it adopted.

On behalf of President Shabazz, Council Member Chukwuocha presented Resolution No. 17-084 (Agenda #4444) as follows:

WHEREAS, pursuant to Sec. 2-3 of the Wilmington City Code, the Mayor retains authority to sub-name by executive order any City street and designate the appropriate sub-name signage pursuant to subsection 2-298(17); and

WHEREAS, former Mayor James M. Baker used this authority to sub-name a portion of Eastlawn Avenue the "Al O. Plant and Hazel D. Plant Memorial Route" in honor of the dedicated husband and wife who both served multiple terms in the Delaware House of Representatives; and

WHEREAS, former Mayor Dennis P. Williams used this authority to sub-name a portion of Washington Street "Bishop Aretha E. Morton Way" in honor of Wilmington's first female and African-American Fire Department Chaplain who broke barriers for women in the ministry; and

WHEREAS, throughout its history, such residents as Bishop Morton and Mr. and Ms. Plant have transformed and enhanced Wilmington through their dedicated efforts and service; and

WHEREAS, it is fitting that the City take steps to properly recognize and pay tribute to the contributions of those residents; and

WHEREAS, another such resident is the renowned Reverend Peter Spencer, who in 1813 founded the nation's first independent African American church denomination, the Union Church of Africans; and

WHEREAS, the Union Church of Africans later split into what are now referred to as the "Spencer Churches," the African Union Methodist Protestant (A.U.M.P.) and Union American Methodist Episcopal (U.A.M.E.) denominations; and

WHEREAS, Reverend Spencer founded the nation's oldest African American festival, the August Quarterly, which celebrates religious freedom, freedom of speech and the right of assembly and which, during the antebellum period, also helped slaves escape to freedom by serving as a conduit to the Underground Railroad; and

WHEREAS, Reverend Spencer, who was born into slavery in Maryland and moved to Delaware after gaining his freedom, was well known in Wilmington not only as a pastor, but also as a community organizer, a dedicated educator who worked tirelessly to teach community members how to read and write, and a committed anti-slavery activist; and

WHEREAS, Reverend Spencer's Union Church of Africans, which later became the African Union Methodist Protestant Church, stood on the 800 block of North French Street from 1813 until 1970, when it was razed to make way for the governmental buildings that now stand in its place; and

WHEREAS, City Council wishes to recognize the contributions of Reverend Peter Spencer, the father of the independent black church movement in Delaware, through encouraging the Mayor to sub-name the 800 block of North French Street as "Reverend Peter Spencer Way."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council respectfully encourages the Mayor to designate the 800 block of North French Street as "Reverend Peter Spencer Way," in recognition of Reverend Spencer's significant contributions to the City of Wilmington. City Council looks forward to joining the Administration in celebrating this designation.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Williams, the Resolution was before the Council for its consideration and Council Member Chukwuocha spoke on the purpose of the Resolution.

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

President Pro Tempore Walsh: Declare it adopted.

Council Member Chukwuocha presented Resolution No. 17-085 (Agenda #4445) as follows:

WHEREAS, one of the responsibilities of the United States Department of Education is to create policies and guidelines regulating education, including regulations under Title IX that pertain to higher education institutions; and

WHEREAS, the purpose of Title IX is to protect those under any education program or activity receiving federal financial assistance from discrimination on the basis of sex, which includes protection from sexual harassment and violence; and

WHEREAS, the United States Department of Education's Office for Civil Rights recently rescinded the "Dear Colleague" letter and a 2014 question-and-answer document, a set of documents which detailed the responsibility of colleges and universities to respond promptly and fairly to reports of sexual violence, and to bring their policies into compliance with Title IX; and

WHEREAS, these documents represented a standard which colleges were to abide by, and promoted the protection and rights of survivors of sexual harassment and violence. With these policies rescinded, colleges are left to create their own standards under Title IX until a new policy is implemented, leading to potentially varying levels of protection of students from campus to campus; and

WHEREAS, the Secretary of Education, Betsy DeVos, has made statements that suggest that the new policy to be implemented as the standard for colleges might be focused on the protection of the alleged perpetrators of sexual violence, not the survivors; and

WHEREAS, a study conducted by the United States Department of Justice in 2013 found that only 35% of survivors report sexual assault to the police; and

WHEREAS, ensuring that survivors have the resources and support they need is critical to promoting an atmosphere in which survivors feel empowered and perpetrators of sexual violence are held accountable. There is concern on behalf of sexual assault survivors and advocates that the new policy from the U.S. Department of Education may fail to protect survivors and may contribute to the underreporting of sexual assault; and

WHEREAS, according to a study conducted by the Association of American Universities in 2015, 11.2% of all graduate and undergraduate students experience rape or sexual assault through physical force, violence, or incapacitation; and

WHEREAS, according to the United States Census Bureau, an estimated 12.4% of Wilmington's population consists of bright young men and women between the ages of 15 and 24, some of whom are pursuing higher education, and it is the responsibility of the City to promote and advocate for policies that protect our youth who may be attending colleges locally and across the country; and

WHEREAS, sexual assault is one of the few crimes in which the victim is often blamed first. By standing in opposition to the views and statements made by the United States Department of Education, City Council stands in support of survivors of sexual assault.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council strongly opposes the recent decision by the United States Department of Education to rescind the "Dear Colleague" letter and the 2014 question-and-answer document, and the ensuing protections those documents had afforded to survivors of sexual assault. The Council urges the United States Department of Education to consider the impact that a change in Title IX policy could have on colleges across the nation, and calls for colleges and universities to stand united in support of survivors and their rights.

Upon a motion of Council Member Chukwuocha, seconded by Council Members Freel and Williams, the Resolution was before the Council for its consideration and Council Member Chukwuocha spoke on the purpose of the Resolution.

Council Member Adams commented as to why he was not in support of the Resolution and was going to be voting "no" on this legislation.

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

President Pro Tempore Walsh: Declare it adopted.

Council Member Chukwuocha presented Resolution No. 17-086 (Agenda #4446) as follows:

WHEREAS, Governor John Carney has recognized the unique opportunities and challenges faced by Wilmington students, in particular those served by the Christina School District, by creating the Office of Innovation and Improvement for Wilmington schools; and

WHEREAS, the Christina School District's high need/high poverty Wilmington schools have consistently been among the lowest performing in the State according to several indicators: academic performance, absenteeism, suspension rates and teacher turnover; and

WHEREAS, Wilmington City Council joins Governor Carney in saying that "now is the time for change" by establishing new Wilmington specific partnerships with the Christina School District, Christina Education Association, Department of Education and the Office of Innovation and Improvement to focus on the needs of Wilmington students attending Christina schools in Wilmington in order to improve the educational outcome for our children, our future; and

WHEREAS, Wilmington City Council understands the position of the District and Christina Education Association of not wanting to be forced to comply with yet another unfunded school turnaround initiative. However, through attending in-state and out-of-state school visits, compassionate schools trainings and community town hall meetings, this Council believes that the partnership will help to bring in additional support to help address the unique needs of Wilmington schools; and

WHEREAS, abundant evidence documents the relationship between educational outcomes and nonacademic factors, such as neighborhood poverty, exposure to violence and trauma. Students' untreated social, emotional and mental health needs can lead to academic and social failure which increase the risk factors of dropping out of school, and contribute to family and community dysfunction. In order to change the direction of our schools, policy makers and educators must adopt comprehensive "whole child and whole school" educational interventions that can address these learning barriers and concurrently focus on improving student academic outcomes; and

WHEREAS, out of school suspensions, which make academic progress even more difficult, can be decreased by increased compassionate school supports and other restorative approaches that foster less punitive environments within our schools; and

WHEREAS, generational poverty and the impact of pervasive trauma on students, their families and communities has to be recognized. Many of the students and their families clearly have multiple adverse childhood experiences and an array of adverse community experiences, including sustained poverty and exposure to community violence. These hurdles to education are only addressed with compassionate care and trauma informed supports; and

WHEREAS, the partnership would be in alignment with the recommendations of the Wilmington Education Improvement Commission report, that the Wilmington City Council supported through participation and resolution. This supportive alliance would address some of the barriers that prevent academic success for the students, their families, communities and schools, through targeted partnerships

geared towards improving academic and social outcomes by increasing parental and community engagement, creating less punitive/ compassionate schools, improving teacher quality and equitable funding to meet the needs of high-poverty schools.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council thanks Governor Carney for engaging the Wilmington City Council in this process and looks forward to being a continued invested member of this most critical alliance to highlight and implement evidence-based, promising and proven best practices to alter the trajectory of our students, schools and districts.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Williams, the above Resolution was before the Council for its consideration and Council Member Chukwuocha spoke on the purpose of the Resolution.

Council Member Adams made some comments.

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

President Pro Tempore Walsh: Declare it adopted.

Council Member Chukwuocha: That's all I have Madam President.

President Pro Tempore Walsh: Council Member – thank you Council Member.

Council Member Chukwuocha: Thank you.

President Pro Tempore Walsh: Council Member Congo.

Council Member Congo: Nothing tonight. Thank you.

President Pro Tempore Walsh: Council Member Oliver.

Council Member Oliver: Nothing tonight Madam President. Thank you.

President Pro Tempore Walsh: Council Member Harlee.

Council Member Harlee: Yes President Walsh, I have Ordinance 17-37 to present and call for the third and final reading.

Council Member Harlee presented and called for the third and final reading Ordinance No. 17-037 (Agenda #4421) entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING
REGULATIONS

Upon a motion of Council Member Harlee, seconded by Council Member Williams, the Ordinance was before the Council for its consideration. Council Member Harlee spoke on the purpose of the Ordinance and stated that this is routinely done in Public Works.

Council Member Chukwuocha noted that he is in support of this Ordinance as well as made some comments regarding an issue in his district pertaining to handicap parking.

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

President Pro Tempore Walsh: Declare it adopted. Council Member Turner.

Council Member Turner: Thank you, thank you Madam Chair. I have – 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. 17-046 (Agenda #4436) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
MULTI-YEAR CONTRACT BETWEEN THE CITY OF
WILMINGTON AND ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.

Upon a motion of Council Member Turner, seconded by Council Member Williams, the above Ordinance was before the Council for its consideration. Council Member Turner spoke on the purpose of the Ordinance.

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

President Pro Tempore Walsh: Declare it adopted.

Council Member Turner: Madam Chair, this next Resolution, I'm going to hold.

President Pro Tempore Walsh: Ok, #4447 you're holding.

Council Member Turner: Yes.

President Pro Tempore Walsh: Thank you Councilmember. Council Member McCoy.

Council Member McCoy: Thank you Madam Pro Temp, I do have a Resolution to present.

Council Member McCoy presented Resolution No. 17-087 (Agenda #4448) as follows:

WHEREAS, the Delaware General Assembly passed Senate Bill No. 125 on July 3, 2017; and

WHEREAS, Senate Bill No. 125 included provisions establishing a working group to determine the feasibility of developing Canby Park in the 6th District of the City of Wilmington or other locations in Wilmington suitable for the purpose of providing sports and recreational facilities to St. Elizabeth High School and Howard High School; and

WHEREAS, the working group currently consists of various stakeholders, including individuals representing the General Assembly, the State of Delaware, New Castle County and the City of Wilmington; and

WHEREAS, although the City of Wilmington has appointments on the working group from the Administration and the Treasurer's Office, the Council Member from the host district is not included; and

WHEREAS, the inclusion of the Council Member from the host district would bring to the working group a wealth of knowledge regarding the district and those who reside there, which would be of value to the group and aid in its success; and

WHEREAS, the Wilmington City Council respectfully recommends that the General Assembly amend Senate Bill No. 125 to include the 6th District Council Member as a permanent member of the working group.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council respectfully requests that the 6th District Council Member be included as a permanent member of the working group created by the passage of Senate Bill No. 125. The inclusion of the 6th District Council Member would ensure that the best interests of the community are kept in mind by the working group in determining the feasibility of developing Canby Park.

Upon a motion of Council Member McCoy, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Council Member McCoy spoke on the purpose of the Resolution and emphasized the importance of involving the District Councilperson as the design plans are done for Canby Park.

President Pro Tempore Walsh made some comments.

Council Member Congo made some comments and asked to be added as a cosponsor.

Council Member Adams reiterated some of Councilman Congo's comments.

Council Member Oliver also asked to be added as a cosponsor.

Council Member Guy made some comments and President Pro Tempore Walsh noted to Council Member Guy to stay on message.

Council Member Williams asked to be added as a cosponsor.

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

President Pro Tempore Walsh: Declare it adopted. Council Member Williams.

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. 17-023 (Agenda #4380) entitled:

AN ORDINANCE TO AMEND CHAPTER 36 OF THE
CITY CODE TO CREATE THE GUN OFFENDER
REGISTRATION ACT

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

AN ORDINANCE TO AMEND CHAPTER 36 OF THE
CITY CODE TO CREATE THE GUN OFFENDER
REGISTRATION ACT

Upon a motion of Council Member Williams, seconded by Council Member Freel, the above Ordinance was before the Council for its consideration.

Council Member Williams: I'd like to make a motion to amend the Substitute Ordinance as follows: On Page 7, Section 2 prior to, "This Substitute Ordinance shall be effective ... insert a sunset provision that reads: *The Gun Offender Registration Act and the data obtained therefrom will be reviewed by City Council three (3) years from the date of enactment, and if not re-enacted, the Gun Offender Registration Act will expire.* On Page 8 of the Synopsis, Line 5, strike the word "five" and insert the word "*ten*". I believe that needs to be in a form of a motion and be seconded and passed.

Council Member Freel: Second.

President Pro Tempore Walsh: It's been moved and properly seconded that the Substitution – that the Substitute Ordinance was read into the record and that it will be received, recorded and filed and adopted by Yea and Nay Vote. On the question.

Mrs. Seijo (City Clerk): On the amendment.

Council Member Williams: Clerk that sounds...

Mrs. Seijo (City Clerk): Question amendment.

Council Member Williams: On the amendment.

President Pro Tempore Walsh: We have to do a voice vote on it, right?

Mrs. Seijo (City Clerk): Yes.

President Pro Tempore Walsh: You want to question the amendment? Not the bill, the amendment.

Council Member Harlee: Yes.

President Pro Tempore Walsh: Okay.

Mrs. Seijo (City Clerk): Okay.

President Pro Tempore Walsh: Council Member Harlee.

Council Member Harlee: Thank you. I just wanted to say that I know that Councilman Williams intent is good on this particular legislation, however...

Council Member Williams: This is on the amendment.

President Pro Tempore Walsh: This is on the amendment only. Not the bill.

Council Member Harlee: So, we got to wait?

President Pro Tempore Walsh: Yeah.

Council Member Harlee: Thank you.

President Pro Tempore: You're welcome. All those in favor signify by saying "Aye", Oppose.

Mrs. Seijo (City Clerk): Motion carried.

Council Member Williams: And now we're back on the original question.

President Pro Tempore Walsh: Yes.

Council Member Harlee: Thank you.

President Pro Tempore Walsh: As amended.

Council Member Williams: As amended, correct.

Council Member Williams made his comments pertaining to the purpose of the Substitute Ordinance and asked to move to a roll call vote. However, President Pro Tempore Walsh indicated that Council Member Williams did not have a second to move to roll call. With that said, President Pro Tempore Walsh opened the floor for additional comments.

Council Member Harlee stated that although she believes the intent of this legislation is good, however, she noted that she received a number of constituents in her district that have called and emailed her who are not in support of the legislation and asked her not to support this legislation.

Council Member Oliver agreed with Council Member Harlee. In addition, she made some comments and noted that this bill would affect a lot of individuals in her district and will not be voting for it.

Council Member Guy also noted Council Member Williams' point on what he's trying to do and he appreciates it, however, he expressed he has some concerns. He added that he would like us to reduce gun violence as well, but he noted that the way we do it is important. If there's going to be a Wilmington Gun Offender Registration Act, he believes it should be a statewide law. He noted that there's no Gun Offender Registration Act for the rest of Delaware and that only Wilmington people would have to

register. Council Member Guy continue to make additional comments and stated that he cannot support the legislation.

Council Member Chukwuocha made some comments and stated that this is something that goes against what we're trying to do with the CDC, which is to create compassionate support or create the support that are necessary. He also stated that he too would be voting against it.

Council Member Turner noted that Council Member Williams has been lobbying this for the last five/six months and took it off the books over the summer recess to allow people that opposed it to have some dialogue. In addition, Council Member Turner noted that Council Member McCoy was also trying to put that together and he noted that he is torn by this. He stated that in speaking to Chief Tracy in terms of the gun violations for this year was done by repeat offenders. Council Member Turner noted that he's not saying that this is right but that something needs to be done and that we have a problem in our city. Council Member Turner made additional comments.

Council Member Congo asked for clarity in terms of this program providing some support and a bridge to some resources. He stated that he is struggling to see where this would hurt an offender if they just have to go in every six months and just check in with the Police Department. He added that he's thinking of supporting it unless he hears something where it's really going to hurt the gun offender. Councilman Congo added that although this will not be a fix all solution but he thinks it creates communication with the Police Department, which can create communication with the resources and he thinks that's a good thing.

President Pro Tempore Walsh noted that she wanted to clear up a point given that she's worked on the peripheral of this field for quite a long time and that when you're put on probation or parole you haven't served your full sentence. She noted that a provision is given by a judge and parole is given by the system and detailed the process.

Council Member Chukwuocha responded to the question presented by Council Member Congo in terms of what could be the harm and made additional comments pertaining to the legislation.

Council Member Guy made some comments as it relates to white collar crime. Also, he noted that usually these kinds of structures are either federal or it's state and that now we're going to get in the business of picking and choosing who to put extra requirements on. He believes that's a dangerous thing to do in this state. Council Member Guy made additional comments pertaining to the legislation.

Council Member McCoy made some comments in terms of trying to get some gathering of the intellect to find out if they create this tool, how would it worked, who would be in charge of it and exactly what will it do but stated that gathering never happened. She noted that she's hesitant on this legislation because she's uncertain on

how this can affect those in her area. She added that this time, she would not be able to support it.

Council Member Congo asked if the sponsor was willing to respond to Council Member's McCoy's statement?

Council Member Williams responded yes whenever everybody else is done. Council Member Williams noted again that the legislation is a trial period and that the information that is being asked for would be gathered by our people affecting our citizens. He noted that the Chief of Police would be responsible for reporting back to Council and if the numbers don't do what they're supposed to do than the legislation is scrapped and gone. He made additional comments pertaining to the legislation and gun offenders. Also, Council Member Williams read a statement on behalf of Council President Shabazz as she was unable to be at tonight's meeting. He added that the statement is in regard to the CDC study. Council Member Williams made additional closing comments.

President Pro Tempore Walsh: Clerk will call the roll.

The above **Substitute** Ordinance was read for the third and final time and was **DEFEATED** by title and section recurring to the Enacting Clause by the following Yea and Nay Roll Call Vote: Yeas, Council Members Congo, Turner, Williams, Freel, and President Pro Tempore Walsh. Total, five. Nays, Council Members Chukwuocha, Oliver, Harlee, Adams, Dixon, Guy. Total, six. Present, Council Member McCoy. Total, one. Absent, Council President Shabazz. Total, one.

President Pro Tempore Walsh: The bill is defeated.

Council Member Williams: Thank you.

President Pro Tempore Walsh: Council Member Freel.

Council Member Freel: I think Councilman Williams has one more or...

Council Member Williams: I'm going to hold that...

President Pro Tempore: That's being held.

Council Member Williams: That's going to be held. Thank you.

Note: Council Member Williams held Agenda #4449 (Fire Pension Board Resolution).

Council Member Freel: Oh, I'm sorry, I apologize. Yes, I have two Ordinances for first and second.

Council Member Freel presented and called for the first and second reading Ordinance No. 17-047 (Agenda #4450) entitled:

AN ORDINANCE TO AUTHORIZE AN AGREEMENT
WITH LERRO CORPORATION TO PROVIDE ON-
SITE ENGINEERING SERVICES FOR WITN TV

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

Council Member Freel presented and called for the first and second reading Ordinance No. 17-048 (Agenda #4453) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE REGARDING HOURS OF OPERATION
FOR LIQUOR STORES ON SUNDAYS

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

President Pro Tempore Walsh: Council Member Adams.

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

President Pro Tempore Walsh: Council Member Dixon.

Council Member Dixon: Nothing tonight.

President Pro Tempore Walsh: Council Member Guy.

Council Member Guy: Nothing tonight Madam Chair. Thank you.

Council Member Adams: Madam President, can I please make a motion to adjourn?

Council Member Freel: Second.

President Pro Tempore Walsh: All in favor?

Several Members: Aye.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications this evening.

ADJOURNMENT

Upon a motion of Council Member Adams, seconded by Council Member Freel, Council adjourned at 7:36 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk