

*City of Wilmington
Louis L. Redding
City/County Building
February 20, 2014*

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

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown*, Cabrera*, Walsh, Wright and Council President Gregory. Total, thirteen.

President Gregory recognized the youth that were sitting in the audience from Dr. Betty Shabazz Delta Academy and also recognized an observer Ms. Crystal Blake who's a Human Resources' student and Drug and Alcohol Counseling from DelTech.

**Note: At this time, Council Member Cabrera and Council Member Michael Brown were marked present.*

MINUTES

After reading a portion of the minutes of February 6, 2014, upon a motion of Ms. Walsh, seconded by Mr. Prado, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

February 5, 2014

Ladies and Gentlemen:

We, your Housing, Licenses & Inspection Committee, to who was referred
Substitute No. 2 to Ordinance No. 13-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE
TO APPROVE THE ADOPTION OF THE 2012 INTERNATIONAL
CODE COUNCIL'S INTERNATIONAL BUILDING, RESIDENTIAL,
MECHANICAL AND PLUMBING CODES AND THE CITY'S
AMENDMENTS THERETO TO BE SET FORTH IN CHAPTER 4 OF
THE CITY CODE

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

Respectfully submitted, Members of
Housing, Licenses & Inspections Committee
/s/Samuel Prado, Chair
/s/Darius J. Brown
/s/Maria D. Cabrera
/s/Nnamdi O. Chukwuocha

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

The City Clerk read the following committee report:

<u>Education, Youth & Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.		X	
Maria D. Cabrera	X*		
Ernest "Trippi" Congo, II	X		
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

President and Members of Council of
The City of Wilmington

February 12, 2014

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, to who was referred
Substitute No. 1 to Ordinance No. 13-044 entitled:

AN ORDINANCE TO AMEND CHAPTER 35 OF THE CITY CODE
REGARDING CIVIL RIGHTS COMMISSION

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

Respectfully submitted, Members of
Education, Youth & Families Committee
/s/Nnamdi O. Chukwuocha, Chair
/s/Ernest "Trippi" Congo, II
/s/Hanifa Shabazz
/s/Sherry Dorsey Walker

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

**Note: Although Councilwoman Cabrera was present at the committee meeting, her signature was inadvertently missed and therefore not reflected on the above aforementioned Report.*

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

February 11, 2014

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-002** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE
REGARDING THE REGISTRATION OF VACANT PROPERTIES

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

February 11, 2014

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-003**
entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL
RECONCILIATION OF ACCOUNTS BY TRANSFERRING
FUNDS TO VARIOUS OFFICES AND DEPARTMENTS IN
THE CITY OF WILMINGTON TO FULFILL OBLIGATIONS
FOR THE REMAINDER OF FISCAL YEAR 2013

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above
aforementioned 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>
Michael A. Brown, Sr.		X	
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel		X	
Loretta Walsh	X		
Robert A. Williams	X		

President and Members of Council of
The City of Wilmington

February 10, 2014

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 14-004** entitled:

AN ORDINANCE TO APPROVE SHOTSPOTTER FLEX GUNFIRE
LOCATION, ALERT AND ANALYSIS SERVICE CONTRACT

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

Respectfully submitted, Members of
Public Safety Committee
/s/Ernest "Trippi" Congo, II
/s/Loretta Walsh*
/s/Robert A. Williams
/s/Theopalis K. Gregory, Sr., Ex Officio

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

**Note: On behalf of Councilman Michael Brown, Councilwoman Walsh chaired the Public Safety Committee meeting.*

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The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

February 11, 2014

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-006**
entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
TO BYAMENDING ORDINANCE NO. 13-004 IN ORDER TO
AUTHORIZE THE CITY TREASURER ACCESS TO THE
BUDGET RESERVE ACCOUNT FUNDS AT THE END OF A
FISCAL YEAR AND REPLENISHMENT OF THE BUDGET
RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL
YEAR FOR FISCAL YEAR 2014

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

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

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The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

February 11, 2014

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-008**
entitled:

AN ORDINANCE AUTHORIZING CAPITAL PROJECTS OF THE
CITY OF WILMINGTON RELATING TO UPGRADES AND
IMPROVEMENTS TO THE CITY'S TRANSMISSION AND
DISTRIBUTION WATER MAINS SYSTEM; AUTHORIZING THE
ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND,
SERIES 2014A-SRF, OR SUCH OTHER DESIGNATION AS THE
CITY SHALL DETERMINE, IN ORDER TO PROVIDE THE
FUNDS NECESSARY FOR SUCH PROJECTS; PROVIDING
FOR THE SALE OF THE BOND TO THE DELAWARE
DRINKING WATER STATE REVOLVING FUND; AND
AUTHORIZING OTHER NECESSARY ACTION

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado			X
Robert A. Williams	X		

President and Members of Council of
The City of Wilmington

February 19, 2014

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, met on the above date at 4:30pm, Councilwoman Hanifa G.N. Shabazz presiding. The following item was discussed:

- Update On Snow Removal

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Note: The item referenced in the aforementioned committee report did not require to be voted out of committee.

Ms. Cabrera: Can I make a point on the committee reports please? I was present at the Youth, Education & Families Committee meeting.

Mrs. Seijo: So noted.

President Gregory: Fine, we'll note the change.

Ms. Cabrera: Thank you sir.

Note: The correction was duly noted on the Education, Youth & Families Committee Report dated February 12, 2014 for Substitute No. 1 to Ordinance No. 13-044 to mark Councilwoman Cabrera present at the meeting.

TREASURER'S REPORT

The following Treasurer's Report dated February 20, 2014 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON February 20, 2014

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 452,452.59
106	Fire Pension Account	M & T Bank	\$ 31,476.30
107	Evidence/Found Currency Account	M & T Bank	\$ 118,861.06
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 243,533.59
113	Non-Uniform Pension	M & T Bank	\$ 1,111.82
114	Central Deposit	M & T Bank	\$ 33,563.08
117	Cement Workers	Wilmington Savings Fund	\$ 33,377.65
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 401,369.00
130	Payroll	M & T Bank	\$ 62,674.14
131	Pension Payroll Account	M & T Bank	\$ 21,214.28
139	Pension Healthcare Account	M & T Bank	\$ 42,205.51
	Total Cash on Hand		\$ 1,460,509.04

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	02/20/14	0.01%	\$ 1.66	\$ 6,055,089.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General ¹	TD	CD	02/25/14	0.25%	\$ 4,978.64	\$ 14,537,615.00
124	Non-Uniform 1990	WSFS	CD	02/27/14	0.30%	\$ 667.40	\$ 2,900,000.00
106	Fire Pension	WSFS	CD	02/27/14	0.30%	\$ 172.60	\$ 750,000.00
105	Police Pension	WSFS	CD	02/27/14	0.30%	\$ 96.66	\$ 420,000.00
110	Capital ³	TD	CD	03/03/14	0.25%	\$ 949.44	\$ 1,540,195.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 383.57	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
116	General	TD	CD	04/25/14	0.25%	\$ 1,816.44	\$ 1,700,000.00
110	Capital	WSFS	CD	05/06/14	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General	WSFS	CD	06/02/14	0.30%	\$ 3,871.23	\$ 3,000,000.00
116	General	WSFS	CD	06/02/14	0.30%	\$ 2,878.35	\$ 3,400,000.00
116	General	WSFS	CD	06/10/14	0.30%	\$ 2,260.27	\$ 1,375,000.00
116	General	WSFS	CD	06/10/14	0.30%	\$ 1,503.08	\$ 1,375,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,508,514.00
104	Escrow Pension	Vanguard					\$ 31,522,348.00
104	Escrow Pension	Black Rock					\$ 26,697,419.00
104	Escrow Pension	Edgar Lomax					\$ 18,981,886.00
104	Escrow Pension	Wilmington Trust					\$ 45,785,039.00
104	Escrow Pension	Manning & Napier					\$ 21,816,570.00
104	Escrow Pension	Earnest Partners					\$ 15,425,291.00
104	Escrow Pension	GMO					\$ 11,391,950.00
104	Escrow Pension	MFS Management					\$ 18,766,289.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,416,278.00
116	Deferred Comp.	MassMutual					\$ 37,604,874.00
	Total Investments						\$ 322,136,908.10
	Total Cash on Hand						\$ 1,460,509.04
	Grand Total						\$ 323,597,417.14

¹ Budget Reserve

³ SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

D. Brown	Congratulate Pastors Guy and Wanda Reeves
Gregory	Sympathy Lorraine Kent
Shabazz	Retirement Marvin Thomas
Walsh	Recognize St. Michael's School and Nursery, Inc.

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Darius Brown.

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

Mr. Darius Brown presented Resolution No. 14-002 as follows:

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

WHEREAS, the City, through its Department of Real Estate and Housing (the "Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-029.20-225 being located at 2113 Pine Street, Wilmington, Delaware (the "Property"); and

WHEREAS, US Bank National Association Trustee, being the current legal owner of the Property, has agreed to donate the Property to the City and to provide a \$13,000 contribution to the City to assist the Department to rehabilitate the Property and sell for homeownership.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON (the "Council") that Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby authorizes and approves the acceptance of the Property by the City from the current owner, US Bank National Association Trustee, and authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the acceptance of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. D. Brown: Yes Mr. President, this Resolution authorizes the City's Department of Real Estate and Housing to accept a donation of 2113 Pine Street.

President Gregory: Clerk, call the roll please.

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

President Gregory: Declare it adopted.

Mr. D. Brown: Mr. President, I have an Ordinance to present and call for a third and final reading.

Mr. Darius Brown presented and called for the third and final reading Ordinance No. 13-044 entitled:

AN ORDINANCE TO AMEND CHAPTER 35 OF THE
CITY CODE REGARDING THE CIVIL RIGHTS
COMMISSION

Mr. President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 35 OF THE
CITY CODE REGARDING THE CIVIL RIGHTS
COMMISSION

Mr. D. Brown: Mr. President, in an effort to further the City's principal of equality and fair treatment for all, this legislation amends Chapter 35 of the City Code relating to the Civil Rights Commission.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the above 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Prado.

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

Mr. Prado presented and called for the third and final reading Ordinance No. 13-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF “THE INTERNATIONAL CODE COUNCIL OF 2012”, THE INTERNATIONAL BUILDING AND RESIDENTIAL CODES AND AMENDMENTS TO BE SET FORTH IN CHAPTER 4 OF THE CITY CODE AS THE CITY’S BUILDING, MECHANICAL AND PLUMBING CODES

Mr. President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF THE 2012 INTERNATIONAL CODE COUNCIL’S INTERNATIONAL BUILDING, RESIDENTIAL, MECHANICAL AND PLUMBING CODES AND THE CITY’S AMENDMENTS THERETO TO BE SET FORTH IN CHAPTER 4 OF THE CITY CODE

Mr. Prado: This is the overhaul of the Code to align it with the International Code of 2012. There was just - - the last time this came up there was some questions about the sprinkler for making properties have sprinklers in them and that was taking out for *one and two family dwelling units*. That was the most controversial part, so that’s been removed and there’s a couple of changes in some fees, nothing really significant but there are some changes and the Ordinance will be effective *April 1st* and the implementation of the Code and the fee increases will take place *June 1st* of 2014. So, those are the changes.

President Gregory: So, what he’s just done is he’s made an amendment to the Ordinance. It initially said it would take effect January 1, 2014 and now it’s April 1, 2014.

Mr. Prado: Yes.

President Gregory: The other change in the Ordinance is on Page 35 where on Section 420.4 it says R-3 (*one and two family dwelling only*).

Mr. Prado: Right.

President Gregory: On Page 35 as a friendly amendment. It would be Section 420.4, if you look in that paragraph where it says exception of R-3 paren – it should be paren (*one and two family dwellings only*) closed paren. Then if we go to Page 37, there's another amendment, friendly amendment on Page 37, Section 903.2.8. Again, it says R-3 and then it would be *one and two family building* are exempt. Under Section 903.2.8 on Page 37 it would read R-3 and then it would read *one and two family building* are exempt. That's it?

Mrs. Seijo: Yes and after, if I may Council President, 903.2.8.1 Group R-3 or R-4.

President Gregory: So that would read Group in 903.2.8.1 that paragraph shall be permitted in and then you would add *Group R-3 (except one or two family dwellings) or?*

Mrs. Seijo: Correct.

President Gregory: Those are the friendly amendments that he wanted to do from the floor. I entertain a motion to accept the amendments.

Ms. Walsh: Second. Oh, a motion. I make a motion to a...

President Gregory: For the amendments that's presented.

Ms. Walsh: ...for the amendments.

President Gregory: Second?

Mr. Williams/Ms. Shabazz: Second.

Motion prevailed on the amendments.

President Gregory: You have to move your legislation. On the question. Any more questions?

Mr. Prado: I....

Ms. Walsh: Excuse me. I have a technical...

President Gregory: Go ahead.

Ms. Walsh: He is moving this now as the amended Ordinance.

President Gregory: As the amended Ordinance.

Ms. Walsh: Ok.

Mr. Prado: Right.

President Gregory: Ok. Just a minute. Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President.

Mr. Prado: Wait, wait. I thought we should do a roll call for....

President Gregory: We didn't do one? I'm sorry. We have to vote on it.

Mr. Prado: Yeah.

Ms. Walsh: Ok, I did have a question.

President Gregory: On the question, vote on it. I'm sorry.

Ms. Walsh: Ok, thank you Mr. President. I did come in here this evening I was going to vote no on this because I'm becoming increasingly disturbed about some of the things that we're doing in our neighborhoods. You know, the housing prices in many of our neighborhoods - - some the housing prices fell 60% in some of neighborhoods. Some of them only fell 20%, some of them have risen back up a little bit, most of them are certainly not the prices that they were six to seven years ago. I think if we're going to continually put restrictions on these houses in our neighborhoods too, we're not going to see as many rehab, just one building. You know, it's almost the day of, head I'm going to fix this house up for my daughter or son because I know how to do electrical and plumbing and all the other things that people learn how to do if they are taught by their parents or educationally and there are so many restrictions on these things now, that I don't want us to end up with more vacants then we start out with every year. So, please Council members and the Administration think about some of things before you put these laws in and number two to the Law Department, any piece of legislation that deals with money and this one have a fee structure, you have to have a fiscal note attached to it. You do not - - that we're getting the fiscal notes from our staff member, which is not the way it's supposed to be. It's supposed to be the Law Department that makes sure there's a fiscal note on all this legislation. That's all I have, thank you.

President Gregory: Anybody else?

Ms. Cabrera: I did want to note that in discussion in Committee the fees came up and the fact is that a lot of people feel that the City is just very unfriendly to do business with, live in, and park in and all the other complaints that folks have. But, the fees were adjusted because of those conversations. It took, you know, the L&I Department ended up going back out again and meeting with the different business people and contractors and to kind meet them so where half-way because I felt the same way but a lot of this too had to do because of the national laws changing that we have to keep, you know, keep up with.

President Gregory: Mr. Wright.

Mr. Wright: Mr. President, is anyone able to speak to the fees at this point?

President Gregory: It was done in committee.

Mr. Wright: Okay. I'm asking a question here. Is that....

President Gregory: No, they can't take the floor.

Mr. Wright: Excuse me.

President Gregory: No, no, we're not going to get into a committee debate on the floor.

Mr. Wright: We're not doing a committee debate but I'm asking a question. I'm not a member of that committee, so, I'm trying to understand why I can't get clarity to that if I'm voting on an Ordinance. I mean does a member of our staff or my colleague does not have that information?

President Gregory: Is anyone from the Housing Department here? You want to speak to it? My concern is that we get into a committee meeting on the floor and we have a long agenda. So you can speak to it briefly.

Mr. Jeff Starkey: Good evening everyone. Just for a note, our fees haven't been increased since 1993. An increase in the fees would approximately give us about \$200,000 in fee increases per year, hopefully. There's no actual way of telling how many, how much in terms of fees we're going to collect but again our fees haven't been increase since 1993 and we're increasing them about ten dollars on the blanket fees and two percent on the base fees.

Mr. Wright: Thank you.

President Gregory: Thank you. Anyone else? Clerk, will call the roll.

Upon a motion of Mr. Prado, seconded by Ms. Walsh, the above aforementioned **Substitute Ordinance As Amended**, 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President, nothing tonight.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President, I have four for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 14-002 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE
CITY CODE REGARDING THE REGISTRATION OF
VACANT PROPERTIES

Mr. Freel: Yes Mr. President, first just a little brief history. This vacant property registration fee ordinance was passed back in 2003. It was a time when we saw the number of vacant increasing. We also had a high number of vacant that had been in that condition for ten, fifteen, twenty plus years. At that time, there was a very weak ordinance on the books that said you know, you're suppose to come in and register and pay a \$25 fee, we were lucky if we collected a couple of hundred dollars a year on that program. In listening to residents and many communities complain about vacant properties, we as a Council tried to figure out a way to encourage the owners of these vacant properties to do one of two things. First, either fix the property up and get it back on the market either to sell or rent. Second, if they weren't willing to do that, sell it to someone that was and letting them move it forward. There was a lot of discussion and debate at the time of the program. I think it had a pretty good amount of support when it did passed both from the private community and the non-profit community. We did set up in the legislation, the very first piece that if you brought a property and you came in and showed how you were going to fix it up, you could get a one-year waiver from the fees. For the non-profits we gave them a two-year waiver. Like any piece of legislation over the years, there were things pointed out that weren't working maybe as well as we hoped. At one point, we were asked to give an extension to the waiver of fees. We did once for ninety days and then we came back a second time and did it for another year.

So, you actually get at least two years waiver for all property owners and three for non-profits. As we know, a couple of years ago we went through a tough time in this country. We started seeing a lot of foreclosures and after the hard work of reducing the number of vacant and we had reduced the number long term by almost fifty percent, we started seeing them increase again and here were a couple of different issues that were brought to our attention and two specific that we're trying to address with this Ordinance. The first one is on Page 3 and this piece of the Ordinance applies to any owner of a vacant property whether it's privately owned or a non-profit or a corporation or whatever. One of the things we were hearing was that people were fixing up their property, putting on the market, and for whatever reason they was just having a difficult time to sell it. Whether it was tight financing, whether it was the neighborhoods they were in. So, what we've done here in this section is we've added a new classification called "*occupancy ready*" and as long as you meet the Code of L&I, you can go ahead and apply to be in this category of "*occupancy ready*" and that gives you a couple of years without paying any vacant property fees.

Once again, I want to point out, this can be for any property owner whether it's private, non-profit, corporation or whatever it is. The second thing that we heard was that a number of the non-profits were struggling now once again because of the housing industry and also they're in a little different situation. Many times when they go out and try to raise funds to rehab a home, they need to have ownership of that house. So, it's not like they can wait, raise the money, come to the City, get the property and then start working on it. They have to take the property and then start the process of raising money, applying for grants and things like that, which can take time. The other thing that goes on is, you know, as all Council members know that the City through our Department of Real Estate and Housing looked to partner with a lot of the non-profits housing providers because they are ones that you know, offer affordable housing through especially a lot of first time homebuyers here in the City of Wilmington. So, in many cases, they were acquiring properties from the City or partnering with the City in programs like NSP. Fixing the properties up and then finding they couldn't sell them either and they were getting hit with these fees, which obviously, you know, if they do sell them, takes away from their small development cost that they can generate to keep their non-profit going. So, on Page 5 Section "A", we tried to address that issue.

Now, this section only applies to non-profits and non-profit is define by the IRS under Section 501(c)3, which I think everybody is familiar with. That if they are in partner with the City or acquired from the City, they would not inherit any past vacancy time and this will also, for those that still have some City properties that they're trying to sell, this will be retroactive back to the start of the legislation to give them some breathing room. Now as you know, we had a pretty lengthy discussion about this at the Finance Committee meeting last week and we started discussing non-profits and how much is owed in fees right now. That if this passes, it would actually be obviously now taken off our books from accounts receivable. I had said in the meeting that I thought the number was around \$273,000.00. The Administration came forward and said they thought it was around \$332,000.00. I only received their documentation today. I've kind of gone through it as quickly as I can, but I do know there's one organization in here sir, that is not a non-profit under the IRS Code of 501(c)3 and that organization alone is on here for \$34,000.00.

So, if you subtract that from that – from their number it already takes them under \$300,000.00 and then there's another organization on here and I don't want to mention names here on the air but another organization that I know has gotten some waivers for their properties so they're not owing this money either. So, can I here and tell you the number is \$273,000.00? I can't but I think it's pretty close to where it should be. So, there is an impact. We do in our budget this fiscal year have in the budget line \$200,000.00 for vacant property fees. I don't see any reason we would still not meet that number because we normally collect more than that in any fiscal year. We've done it for the last ten years. But, at some point, if this does pass, we will need to write-off this two seventy three as uncollectable. I will tell as Chair of the Finance Committee, this gives my stomach knots. I'm usually the other way looking to save every dollar we can but in the long-term where we're talking about building up neighborhoods, strengthening neighborhoods, we need these partners to help us and continue the work they're doing. In the long run, if we can give them some breathing room, they get these properties sold, you know, we generate some small amount in property tax, things like that but more importantly though, we have couples or families living in these homes and helping to bring these neighborhoods back. So, that's what this legislation does. We've been working at this for several months now to try to get this right. There's been a lot of discussion about it but I'll stop there and try to answer any questions that Council members may have at this time.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. First of all, I'd like to ask to be added as a co-sponsor and it's more of a statement than a question. At some point we have to stop the increasing of vacancies within the City and this piece of legislation will certainly do that. It will give us a chance to turn these vacants around and allowed these families to move into the City and once again, make us a thriving city. So, I'm all in favor of this.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I too would like to be added as a co-sponsor. This was one of the first issues that was brought to me by some of the non-profits who owns these properties and the unfairness of it all that they're trying to help and turn the City around and some of these properties are available for occupancy but they just weren't able to sell them and we certainly don't want to keep increasing the rentership. They want to turn these houses around and sell them. So, I think this is a very good piece of legislation. I'm glad that it came and we're going to work with these folks and you know decrease hopefully the vacancy rate in our City.

President Gregory: Ms. Walsh.

Ms. Walsh: Well Ms. Cabrera, first of all, I think some non-profits can help the City out by not locating in the City quite frankly because we have too damn many of them anyway. But, we have some real legitimate ones on this list who have helped the City with the housing. The only question and this was thrown at me at the last minute, I got the phone call late this afternoon and it was from an attorney who handles bankruptcies a lot and she said that even after one files bankruptcy and you know a whole lot of people just walked away from their houses too because they were under water. The mortgage was too high for the house that they were in and they would never be able to sell it and a lot of those folks ended up in bankruptcy and that even after the judge grants the certificate of bankruptcy, he's not granting the waiver for any of these fees. So that these people who have already filed the bankruptcy and it's been granted, are getting collection record, you know, they're trying to build up their credit reports again too and they are getting collection letters from us. Threatening and sort of things, you know, we can't take their house anymore because they don't own it. So, I don't know if that's addressed anywhere in here.

President Gregory: Some government fees are not discharged in bankruptcy.

Ms. Walsh: Right, I understand that.

President Gregory: We can come back and address that but it's not addressed here, no.

Ms. Walsh: Ok, thank you.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I just want to note that I am in complete support of this Ordinance. I think it truly addresses some of the challenges that have been presented with the vacant property registration and it really shows our non-profit partners that they are partners with the City and addressing much of the blight that is in many of our communities and really assisting our City to (inaudible) redevelopment some of these communities. I will however, be voting present because I am employed by a non-profit housing organization.

President Gregory: Thank you Mr. Prado.

Mr. Prado: I just want to be added as a co-sponsor.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. As a co-sponsor of this, I think this is definitely showing that we are keeping our eye on our housing issues because for us to put the original legislation in place because of the condition of the number of vacant properties that we have, we know we needed to put something in place to address that. It has demonstrated it works and now that we're seeing that we need to take another trend, we are very conscious of what needs to be done in the housing industry for our City and make the necessary changes. So, that's why I'm co-sponsoring and supporting this tonight.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I too would like to be added as co-sponsor and I kind of echo a lot with my Council members, my colleagues on Council already stated so I won't restate it. Thank you.

President Gregory: Mr. Freel, can you do me a slight favor? Could you comment on the category or the concept of occupancy ready in the context of individuals but non-profits but individuals? There's been a lot of discussion about giving relief to non-profits. I think the community needs to know and Council needs to know that there's some relief in here for entities no entities for individuals, which always comes up as a concern. Can you kind of make that connection with me?

Mr. Freel: Yeah, I'll make that again. The first piece, the first addition to this Ordinance is on Page 3 and its "D" where we are now adding classification of a vacant property called "*occupancy ready*" and this can apply to any property owner whether it's an individual, whether it's a married couple, it could be a corporate entity, LLC, it could be a non-profit, it can be anyone that owns a vacant property in the City and as long as it meets the Department of Licenses & Inspections code, they can qualify to get a couple of years of relief so that they can try to sell the property. Now, what's going to happen to get this rolling and that's why we're trying to get it passed now, but Council members don't know, we normally send these bills out November 1st with the vacant fees and what's going to happen now is L&I will be sending a letter out to all the vacant property owners letting them know, like I said all vacant property owners, letting them know this new classification of "*occupancy ready*" and if they feel that their property is up to code, they can request inspection by L&I. They will come out and inspect it, if they meet Code, they will be classified then as "*occupancy ready*" and get a couple years relief from vacant fees to give them the opportunity to sell their property. I hope that...

President Gregory: That does it. Now, I think that this fixes some unintended consequences' the primary purpose of the legislation was to focus on slum landlords and heir property where people had inherited property and didn't do anything with it or property became vacant, people just land banking property and not fixing it up. This is a situation where it's fixed up by the non-profit or its occupant ready by a non-profit and they just can't move the property. So, I think this is a good tweaking of property. Mr. Congo.

Mr. Congo: Thank you Mr. President. Just a follow-up to what Council Freel just said. So, the individual who has a property they'll only be given I think he said a couple years (inaudible) for the vacant property fees if it is occupant ready versus a non-profit?

Mr. Freel: No, what anybody can do is, first of all, when you get the property you can immediately apply for regular waiver. All right, and get that waiver. After a year's time if you still have not say you finished or sold it, you can get an extension of the original waiver and that gives you two years. Then, if you have everything done up to Code, you can go ask L&I for an inspection and if they classify it as occupancy ready, you get a relief of I believe another two years without fees. So, it gives you, you know, you walk your way through the system. It can give you up to four years to try to get a property rehab and sold.

Mr. Congo: All right, thank you. With the non-profits they get a complete waiver, right?

Mr. Freel: Non-profits are different. They can go in now when they purchase the property when they go in for their initial waiver, they can go in now and get a four year waiver. They can also get an extension on that waiver just like anyone else for a year. In that time if they've been able to raise the money, rehab the property, they have it on the market but for whatever reason they still haven't sold it, they can then come in and ask for an "*occupancy ready*" classification.

President Gregory: Can I offer a comment?

Mr. Congo: Yes.

President Gregory: Because they maybe buying the property in a non occupancy state, so they have to do design work and everything to get it ready and then to become occupancy ready. So, they're given a little more time.

Mr. Freel: But just let me point out for the non-profits though, the properties we're talking about are ones that they either take from the City, the City asked them to take the property to fix them up or the City is partnering with them some way to fix these properties up and these are usually in areas that the City is hoping to get some development going, improving the housing market and things like that.

Mr. Congo: I guess I'm not - - maybe I'm not explaining myself clearly. Once a property is occupant ready for an individual, they can get an additional up to four years?

Mr. Freel: No, for all property owners at least two years, for non-profits that are partnering with the City they get a four year waiver and then an additional two years of occupancy ready. Everybody who has their property up to Code can get the two year occupancy ready.

Mr. Congo: Ok but it's just a little longer for the non-profits.

President Gregory: They are partnering...

Mr. Freel: In the front end they get longer period for the waiver.

Mr. Congo: Ok, thank you.

President Gregory: Mr. Wright.

Mr. Wright: Thank you Mr. President. Councilman Congo, thank you, I was sitting here waiting to say something. I think kind of what Councilman Congo was saying, well let me speak for me, I understand that non-profits are partnering with the City but we do realize and we've all acknowledge that we have a vacant property issue. So, if someone takes a property that's not occupancy ready and essentially does the same thing a non-profit is doing, why we're not extending the same courtesy is the question that's in my mind? I'm just trying to understand that and at the end of the day, they're partnering with the City because they're taking a vacant property and rehabbing just like a non-profit would do. So, they might not be quote on quote on in our terms partnering with the City but at the end of the day, they're taking a blight property into a more profound property and that's the same thing. So, for me, I kind of can't understand it and get past that point. Does that make sense?

Mr. Freel: Well, as I stated earlier for a non-profit many times we ask them to take the property, they might not even have the funds to rehab it when they take because they can't apply for grants and actually get grants until they've actually own the property. Because I used to argue them, you know, wait don't take the property until you have all your money raised and they can't do it. They have to show proof of ownership before they can actually raise the money. The other I want to point out here is and this was the reason we did this in the very beginning, we want to help everybody get the property rehab and get them sold. The reason for the occupancy ready is for those individuals that are trying to do the right thing but we still have I'm going to tell you, we still have a lot of folks out there that have properties that don't do anything with them and they continue to deteriorate. You know, talk to someone that lives next to one of these vacant properties that have issues whether it's water that comes in and starts deteriorating their walls, their roofs, whether its rodent problems or just an attraction to the criminal element. So, I don't care who it is, the private owners, the non-profits, I still want to encourage them and I still want some, you still have to have some limitations there so that people aren't just getting properties and sitting on them. We want them to rehab them, fix them up and try to get them sold. We understand with the housing crisis that

we all went through - - it's a little more difficult now so we're trying to adjust this to help those that want to do the right thing and try to help them out.

President Gregory: Mr. Wright.

Mr. Wright: Thank you Mr. President. I don't want to by any means confuse the issue. Again, we're talking about a blighted property. If there's an individual (inaudible) as you know, you can go buy a property and think oh okay, it's only going to take ten or fifteen thousand. Then you find out there are other issues that you have to bring the property up to Code. So, a person who thought they wanted to do something good decides, well, finds out, well dang only have twenty and it's going to take thirty. So, it's the same principle applies and I'm just trying to horn in on that point and that's all I was simply stating. So, regardless at the end of the day, if we're going to extend grace, I think what's good for the goose is good for the gander. So, we should take that in mind. That's all I'm saying and that's just a statement but thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Yes, Mr. President. I think it's - my understanding and I can be corrected if I'm wrong, that when a private individual acquires a property from the City, they do have to demonstrate that they do have the means by which to bring that property online because they're doing it for a profitable reason. They're going to rehab and then make a profit of its sell but I understand also too, I believe there is a process that if that person is - - time is going by from the time that they are to complete it, demonstrate that they are going through construction and that it's on the market that there is considerations taken in the vacant property process. So, there are some steps built into the vacant property process to address private individuals who are rehabbing for profit. So, I think we have taken into consideration in all of the law the private industry and the profitable industry and those kinds of circumstances that they run out of cash or they have not been able to sell it.

President Gregory: Mr. Congo.

Mr. Congo: Yes, thank you. I'm still a little unclear. Say we have two properties next door to each other. One, I own one and a non-profit owns the other one. Both of them are occupant ready and six years later, will I start getting vacant fees attached to the house and the non-profit won't?

Mr. Freel: I'm not sure exactly - - I'm not sure I understand the question. If you have two properties right next to each other, you buy them the same day - - you get them the same day, ok, you can walk in and as a private citizen you can get a waiver for year; the non-profit can go in and get a waiver for four years. At the end of your first year, if you as a private citizen still have not completed the property, you can get an extension for another year.

Mr. Congo: I don't mean to cut you off but right now, the houses are occupant ready....

Mr. Freel: Okay, and now after two years you have the properties, the property is up to Code, so now you can go in and say listen, it's up to Code but I haven't sold it yet, so now I want to be classified as "*occupancy ready*" so that you can get additional two years. All right, to give you time to sell that property.

Mr. Congo: What happens if I still can't sell it versus if the non-profit can't?

Mr. Freel: The non-profit it's going, you know, I'm very up front, the non-profit is going to have more time because you know they're taking the property from the City and then they have to go out and raise the money. I mean, most people that go out and buy a vacant property if there a private citizen are going to have some funds available to start fixing that property up. They should. If they're just buying that property and then they're going to sit on it, that kind of defeats what we tried to do back in 2003.

Mr. Congo: I guess my - - maybe I'm still not explaining myself clearly but I can't sell my house because of the market. My house is occupant ready, it's ready but I just can't sell it because of the market versus a non-profit....

Mr. Freel: After four years, after four years, you will start paying a fee.

Mr. Congo: Ok but will a non-profit start paying a fee after four years?

Mr. Freel: Not after four years, no.

Mr. Congo: Ok. I guess that's my concern that we're not - - that we're treating them differently.

President Gregory: It does (inaudible) a non-profit....

Mr. Freel: No but....

President Gregory: What used to happen and there were some infamous folks who had owned a lot of property, they were land banking and they just wouldn't do anything with their property. That would be the individual, non-profit kind of person just banking a lot of different properties not fixing them and then not even, just doing a little bit then if you say, fix it up, they do enough just to get passed L&I.

Mr. Congo: I understand that.

President Gregory: So, its (inaudible) equity in it but....

Mr. Freel: Some of them after all these years are still holding some of these properties. I can think of two properties on 4th Street, 1100 block of 4th Street, that they've held them and they'll go a number of years without paying, we have to go to Sheriff Sale, go through that whole process and they'll walk in and pay their vacant fees but for whatever reason, they will not fix those properties up and do the right thing.

Mr. Congo: One more follow-up please. I understand, I completely understand that but my misunderstanding, my concern is, we have two properties that are ready to go but I can't sell and neither can the non-profit, I don't think that it's fair that I get vacant fees but non-profit won't. That's just my comment.

President Gregory: The distinction that is made in the legislation is how did the non-profit come into possession of the property? They got it from the City...

Mr. Congo: Okay.

President Gregory: ...and to fix the property up. So, they took it off of our hands in the context of one of the programs that they have. The individual may not have done that. It could be heir property; it could be a property that person bought to make a profit. You know, you have to project out there's an equity there, yes there is but I think this fixes an unintended consequence. In baby steps, I would implore you to support it and then I think you can talk to Mr. Freel and other people and perhaps it could be amended to add what you want...

Mr. Congo: I think a great...

President Gregory: ...you see what I'm saying. I think it has a window of opportunity to do that with more discussion. We going to have to - - Clerk, call the roll please.

Mr. Congo: Ok, thank you.

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

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Yes Mr. President, I have one for third and final.

Mr. Freel presented and called for third and final reading Ordinance No. 14-003 entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL
RECONCILIATION OF ACCOUNTS BY TRANSFERRING
FUNDS TO VARIOUS OFFICES AND DEPARTMENTS
IN THE CITY OF WILMINGTON TO FULFILL
OBLIGATIONS FOR THE REMAINDER OF FISCAL
YEAR 2013

Mr. Freel: Yes Mr. President, this is something that Council is required to do I believe by a certain date in March to reconcile the Budget for Fiscal Year 2013. As we discussed at the Council meeting - - at the committee meeting, we had a review of the comprehensive annual report for that fiscal year and this is the last step in the process where we basically make adjustments to the different departments budgets for that year. So, I'll try to answer any questions.

President Gregory: Councilwoman Walsh.

Ms. Walsh: Mr. President, I usually vote "no" on this. I'm not trying to gather anybody else's vote but I vote "no" on it because I don't like the way they do their books on this one. That I think the department needs - - all funds should be encumbered by the end of the fiscal year and if you haven't encumbered them you'll lose them and if you have to make up somewhere down the line, too bad. You screwed up your books so you have to live with it. So, it's just one of those things that just irritate me to no end. That's all.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above aforementioned Ordinance was read for the third and final time and adopted by title and section recurring to the Enacting Clause and passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright, and Council President Gregory. Total, twelve. Nays, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for third and final reading Ordinance No. 14-006 entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY
CODE BY AMENDING ORDINANCE NO. 13-004 IN
ORDER TO AUTHORIZE THE CITY TREASURER ACCESS
TO THE BUDGET RESERVE ACCOUNT FUNDS AT THE

END OF A FISCAL YEAR AND REPLENISHMENT OF
THE BUDGET RESERVE ACCOUNT FUNDS IN THE
ENSUING FISCAL YEAR FOR FISCAL YEAR 2014

Mr. Freel: Yes Mr. President, just briefly, this is something we've done for probably the last five or six years. When we come into the spring and early summer, we sometime find ourselves in a cash flow situation. Our property tax revenue, don't come in until late August early September. So, what this does is it gives the Treasurer the ability to access the Budget Reserve Account for the funds that he needs to pay our bills. Now, the reason we do, we go to the Budget Reserve Account, right now we have about \$14.5M there and not go out and borrow because obviously we save money then by not paying interest on borrowing money. Also, as part of this, it requires that the City Treasurer replenish the fund by October 1st because by then our property tax revenue has come in. For Council members that has seen this in the past, the City Treasurer is very good about sending us a memo when he takes some dollars out and he lets us know when he has to put the money back in. There has been a couple of years where we have to hit the Reserve Fund for \$6M, and then there's been a couple of years where we didn't have to touch it at all but this is just kind of a precautionary measure to be ready for him to do so if necessary. So, I'll try to answer any questions.

President Gregory: Clerk, call the roll.

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 14-008 entitled:

AN ORDINANCE AUTHORIZING CAPITAL PROJECTS OF THE CITY OF WILMINGTON RELATING TO UPGRADES AND IMPROVEMENTS TO THE CITY'S TRANSMISSION AND DISTRIBUTION WATER MAINS SYSTEM; AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND, SERIES 2014A-SRF, OR SUCH OTHER DESIGNATION AS THE CITY SHALL DETERMINE, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR SUCH PROJECTS; PROVIDING FOR THE SALE OF THE BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Mr. Freel: Yes Mr. President, we've seen these before. Basically, we are going to issue some General Obligation Bonds to borrow some money through the State Revolving Fund to do some upgrades to our main systems in the Baynard Boulevard area in the City to improve the distribution transmission in the water. We're going to be adding an extra main out there in case the one that exist ever goes down. The reason we use the State Revolving Fund as oppose to doing this through our normal Capital Budget is because we get a very good rate on these projects. Most of the time they run around two percent so it just makes sense to go this way in funding some of these water/sewer projects.

President Gregory: Clerk, call the roll.

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

President Gregory: Declare it adopted.

Mr. Freel: That's all I have sir, thank you.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President, before I - - I have an Ordinance to present and call for a third and final but on this Ordinance, Mr. Williams, Councilman Williams' name is on here and he asked me earlier, how it got there and I thought he told me to do it and he said he didn't. So, I don't know if this is the time to remove it or what, if that's what he wants to do but I just want to bring that to the attention of the Clerk.

President Gregory: It's off. Go ahead.

Mr. M. Brown: All right. Mr. President, I have an Ordinance to present and call for third and final reading.

Mr. Michael Brown presented and called for the third and final reading Ordinance No. 14-004 entitled:

AN ORDINANCE TO APPROVE SHOTSPOTTER FLEX
GUNFIRE LOCATION, ALERT AND ANALYSIS
SERVICE CONTRACT

Mr. M. Brown: Yes Mr. President, this Ordinance is being presented on behalf of the Administration and its ShotSpotter - - this is gunfire detection for location

and alerts the system where shots are being fired from. Automatically alerts first responders within seconds of shots being fired. The term of the contract is for three years at a total year cost \$415,000.00. Let me note Mr. President, back in October of last year 2013, Public Safety Committee invited all the committee that could attend to come over into the Workshop Room along with the Administration. Council Member Darius Brown and myself invited representatives from ShotSpotter to come down from Maryland I believe it was to give a presentation a video presentation and the Mayor came in with City Solicitor and others along with yourself and this was a presentation that was presented to those that were there from both sides of the hall. And, then here recently at the last Public Safety meeting, ShotSpotter came back in again in this Chambers gave a presentation - - a verbal presentation - - past out I believe, I wasn't here (inaudible) but it was another presentation given by ShotSpotter.

This program is something that the Mayor has bought into as we know Mr. President and Council Members, this particular ShotSpotter is not there to save lives but when the shots are fired its going to be within seconds that it will be able to tell within a perimeter where those shots came from; what type of car; if it's mounted on cameras; they'll focus in on where the car is fleeing from; hopefully get the tag number; hopefully see if they're running into a home; hopefully see if they're going into alley; hopefully see if they're dumping a weapon and also, it's one of those tools that we keep saying or that I keep saying anyway, that we must continue to give the men and women in blue tools to fight crime and fight things such as gunshots and gunfire within our City because you know it's out of hand. Mr. President, you know, I just think that at the end if this works, and I believe it will because they've come in with recommendations from Maryland, DC, Oakland, Camden, NJ, places where they've had, San Francisco, California, places where they've had numerous complaints and numerous amount of shooters on a yearly basis in those communities. If this works, it will give hopefully help them, our men and women in blue, catch the perpetrators and bring some closure - - let me hit home with it - - some closure - - so if there's a death involved with the gunfire, bring some closure to that family of making sure that the perpetrators are brought to justice. So, I'll leave it open for the floor and I'll close out at the end.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. In doing a little bit of research and reference to shotspotter what we're getting is a sensory system that the cameras aren't tied in at this point. This is strictly just a sensory system that's going to triangulate where the shots have come from. Now, where we're going to fall short is that we don't have the cameras to do as Councilman Brown has just so eloquently put out to track the perpetrator because there's not going to be any correlation at this point. Basically, we're just getting the sensor system that's going to triangulate. What we have money already set aside in the budget for is to purchase additional cameras and they're not online yet. We haven't even been presented as to where these cameras are going to be located and when they're going to be brought online.

So, in looking into shotspotter, I looked at Hartford, in one month's time they had a 98% failure rate, ninety-eight percent. In Newark, in three years time they had 3,632 signals that hit, which is (inaudible) 17 apprehensions and they have the cameras that were associated with the signals. Look a little further, you look at Suffolk County up in New York, 212 signals and only 7 of them were actually confirmed as gunshots. Zero arrest has resulted from the shotspotter up there. New Haven, the very first homicide of the year of 2012 occurred within a shotspotter location and it never even recorded. The person who was killed wasn't even found until six hours later the next day although there was multiple casing on the ground.

So, I'm not saying that shotspotter is not a wonderful tool for our men and women in blue. Trust me I did twenty years on that job. I understand what they need. What I'm saying is that we got to get our infrastructure in line. We got to get these cameras working and then bring in the additional support of shotspotter and coordinate them together so they can work in tandem to assist. It's not going to do us any good to get an officer there within seconds when our officers are getting there and nobody saw anything, nobody heard anything, I don't know who shot me. It's not going to help us with the prosecution if we don't have the evidence to back it up by means of the cameras. It's like buying a Cadillac with no motor. It sure looks good but it's not going to get you anywhere. What I'm saying is we have to get our infrastructure together with cameras systems and then integrate a brand new product on top of it. At one time Wilmington's cameras system was the highly (inaudible). People came here to look at our camera system and we have falling way behind. So, I don't think we're ready for shotspotter until we get our infrastructure up and running via the cameras.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I'm familiar with shotspotter because I've seen the demonstration at one of the National League of Cities conferences and therefore demonstration indicated that it does do all that it says it's going to do and I do believe that our Wilmington Police Department does need more tools but from my perspective this is another reactionary tool and I really wish that we could use this same kind of money to do a ceasefire, which is a proactive initiative that stops, interrupts the crime before it happens and puts the people on the ground to interrupt before somebody makes the shot rather than we doing everything that's always a reactionary. By that time, we get there, the person is already shot and a life may be lost. I really wish we would start putting money into more proactive initiatives rather than reactive initiatives. So, I don't know how I'm going to vote on this tonight Mr. President. Thank you.

President Gregory: Mr. Freel.

Mr. Freel: Is there an exit clause in this contract? This is a three-year lease agreement, right?

Mr. M. Brown: Yes.

Mr. Freel: Is there is an exit clause in this contract?

Mr. M. Brown: There is three-year contract and I don't believe there is an exit clause.

Mr. Freel: So, how will we define performance? How will we measure performance to know say after a year whether this is doing exactly what we had hope it would do?

Mr. M. Brown: Well, let me answer this by prefix. Let me answer that by prefixing this. We already have a program that we bought. That we bought for \$250,000 and it only showed, it only lived up to its color in terms of identifying one time, one time and by me saying that the word was out that we were paying \$415,000 a year for this program where it is federal, state and local dollars paying only about \$135,000 a year and that because it has showed as Councilwoman Shabazz said, she has seen demonstration of it in the past from conferences that she's been to, that I don't think that that organization and plus, let me put a pin in that, we'll still be using the program that we're using now still is in existence because it is ours. So, when you talk about we don't have enough cameras, we don't have enough cameras and I know you asked a question and I'm going to get to that Mr. Freel, but it gives me an opportunity to answer some these questions as well because we don't have enough cameras, I think if we, maybe those folks that we're failed at didn't have the proper people working the cameras that didn't know what they were doing in handling the project. So, to answer your question, whether there's a bout clause or a get out clause, I don't know if there is or not.

Mr. Freel: Just a quick follow-up. Huh? But I guess the other point I want to make that he said was you know he's right, the system we did buy didn't perform and I guess I want to make sure we don't get burn again just because we go to a new system we don't get burn again and find out three years down the road that this one didn't work either and that's why I was wondering if there's a way to reevaluate it after a one year and if it's not performing up to what we were told, you know, we can get out of the contract. That's the reason I was asking the question.

President Gregory: What I want to do is this (inaudible) I'm going to wait until the end and I'm just not going to have a committee meeting. That's what I'm trying to avoid. So, if we get someone up here it's going to be one shot to answer a series of questions. But, Mr. Williams I agree with you and it was in the paper, the cameras need to be in tandem with shotspotters but you know, the City and who are and strapped for money, which came first, the chicken or the egg? Do we do shotspotters first and then the cameras or do we do the cameras and then shotspotters? So, it seems to me that the design at this point and time and the due diligence has been done with shotspotters and shotspotters is ahead of the cameras. So, I'm in favor of going forth with shotspotters. Mr. Congo.

Mr. Congo: Yes thank you Mr. President. I just have a few questions that could be answered later. How did we come up with the coverage area? Councilman Michael Brown a sheet here that has the color (inaudible) that if this does pass, you know, what section of the City are going to be covered? So, how did we come up with that because it's not the entire City? Also, if we do plan to - - are there any plans to expand the coverage area and if so, how much that will cost? Thank you.

President Gregory: You want to take a stab at that?

Mr. M. Brown: I'll take a stab at it. It was given to me by the City Solicitor and them - - it's a 3.0 square miles that they'll be operating out of with the shotspotter but, if you go beyond the 3.0 miles.

Mr. Congo: Just a follow-up Mr. President. So, for instance we're beyond that 3 square miles, it would cost more, right? How much more, if you know that answer?

President Gregory: I'm going to get the answer for you. It's based on foot, linear feet of coverage. Something along those lines but I'm going to get that for you.

Mr. Congo: Thank you.

President Gregory: Cost to expand. We got three questions. Coverage area, buy out and cost to expand. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. Mr. President, you raised a very important point. You talked about what comes first, the chicken or the egg and my questions is, when do we start doing both? We have the chicken and the egg in the same room and I'm not being fictitious in asking that question because if the cameras aren't operable or aren't going to do what needs to be done, then that's a concern because - - are these cameras going to - - is there going to be some kind of sensor in the Police cars that goes to the laptops that's in the vehicles that'll get the officers there? Are they going to be able to get the license plates of some of these vehicles that are leaving the scene of the crime? Can anyone answer those questions for me?

President Gregory: That wasn't the import of my comment. My comment was you have cameras, you have the sensors; we don't have money to do both. So, you can have enough money to do cameras then you can't do sensors. You can have enough money do sensors then you can't do cameras. But we have to work on getting that other money. Ms. Walsh.

Ms. Dorsey Walker: That didn't answer my questions.

Ms. Walsh: Oh, someone had asked a question about funding and also preventive. My understanding was this money was coming out of the million dollars that were specifically for camera programs. So, this isn't general fund money that were using here or money that we can just easily transfer over to another sort of usage.

President Gregory: That's correct. Mr. Wright.

Mr. Wright: Thank you Mr. President. Also, can you get this answer? I know the previous Administration had purchased a shotspotter, so can you - - I'm correct in that, right?

Ms. Walsh: Yes.

Mr. Wright: So, can you get the differences also?

President Gregory: That's was Century and I think the State purchased that.

Mr. Wright: No. I mean...

President Gregory: State process but my concern right now is that we've had about five meetings on this. Very intense deliberations in committees and presentations and I recognize that there should be some debate on the floor but we shouldn't be having a committee meeting on the floor and really we're having a committee meeting on the floor. Now, that's me - - and that's me but, you know, it is what it at this point and time but we're having a committee meeting on the floor. Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. (inaudible) says success has many failures - - um, success has many fathers with failures an orphan. I think what we're seeing tonight is some adoptions of successes but no one wants to own some of the challenges and failures. All summer I had the privilege of joining my colleague Councilwoman Shabazz at National League of Cities and engaging shotspotter after years of conversation the City had had around the shotspotter technology and other entities that have similar technology and during that time last summer I wanted to get shotspotter reengaged with the City and so I came back and wanted to reconnect them and reconnected them with the City; came to you as a Council to you as Council President, Public Safety Chair, to talk more about shotspotter; brought in the Mayor and members of his administration to see how this might work try to help us here in the City after having so many shootings - - a record level of shootings last year.

So, I am a proponent of shotspotter. I think shotspotter is what we need here in the City. It is definitely not having one without the other. It's a matter of saying what are we presenting before this body tonight. Not saying that we won't come back before this body to look at how we do other things around cameras. So, the Administration, because we are legislators we legislate but implementation of our legislation is the Administrative branch – the Executive branch. So, we are, or our duty tonight is to look at how we legislate and how provide safety and security and reduce gun violence in our City. That's what shotspotter is going to be able to do and help us with here in the City of Wilmington and so again, I'm a proponent of it, I support it but I must admit in all of my support of this, this paper that has 3 mile radius square mile radius, is disheartening because this is not the intent that I had last summer when I brought shotspotter to the City of Wilmington. When you look at the shootings that occur last year and the shootings historically that occurred in the City, this 3 mile radius does not affect those communities. It does not affect my 3rd District. It does impact the 1st Council District or the 2nd Council District. When we as Council members stood and walked and marched and worked with our civic associations and residents as there was gunfire up and down our streets. So, I use in contrast because I hear a lot of emotion tonight but I want my colleagues to understand we are legislators. So legislating this bill, shotspotter is good for our City and after we decide what we're going to do with the piece of legislation tonight, then we embrace the Executive branch and the Administration on how this map is replicable to the issues and gun violence that we have in the City.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Thank you Mr. President. Of course, I'm very supportive of our Police Department given them all the necessary tools. I did not attend the Public Safety meetings and I did not maybe pay attention if information was handed out. I would like to have seen more of the data around the research that was done to prove you know that this was better than other systems and the data that our Councilperson Williams brought here today but because I did not that, you know, that's my fault. I believe in what Councilwoman Shabazz said, I wish we would be more preventative and more proactive versus reactive and I agree with Councilman Darius Brown. I'm looking at the map and 27th & Tatnall and just that whole neighborhood that has become like the 2nd worse area where have shots now on the 29th and 30th of Washington Street. Those are not included in the map either.

So, I want to support this, I do have some concerns, I do have some questions. Certainly, we can move things around, change things around and see how this is going to work in the City. The cameras is a big concern. There's a lot of constituents that keep saying, if we just had more cameras and we could catch and see what people are doing in our neighborhoods. The shotspotter, ok, it reports to the Police but if the cameras are not in place because I did speak to some of the Police officers today to do my own research, and yes they're in support it and one of things the officer said to me is, you know, if we catch on film because the camera has to be there, it has to work with a camera and we see that it was a green Oldsmobile, well at least now we can alert the

Police to look for that Oldsmobile near the exits of the City because usually these things happen near our entrances and exits and alert the other law enforcement entities so they can look out for that car. Maybe they have to pull over two or three green Oldsmobile but if they find a gun then you've found the shooter. So, obviously I'm looking for a solution to our crime for the shootings and that we have a higher rate of catching the culprits and making sure that it sticks. They're not being let out because we don't have enough evidence. So, I have mixed feelings about all this obviously. So, I just hope that we do what's best for the City.

President Gregory: I do too but the Mayor has made a commitment. I talked to him personally to integrate cameras in and to make that a priority. So, I'm confident that that commitment is going to be adhered to by the Mayor. Ms. Shabazz.

Ms. Shabazz: Yes thank you Mr. President. I hear a lot of my colleagues reference cameras and the fact that trying to get the camera program in line so that this more affective and I'm on a member of their working camera group and we did have - we were - - I brought possible experts in to look at our - a comprehensive camera program not only just the cameras that we have, but also partnering with some of our corporations who have cameras. How do make all the cameras - - and then we have neighbors who have cameras that are tied into our Downtown Vision camera system. So, I do know there's efforts to work on coming up with a very comprehensive camera program so that this - - the camera program and tying in with this, we're being effective, reactionary tool but I still keep pushing my proactive.

President Gregory: You know when this first came up that we were going to do shotspotters before cameras, I raised it as concern of mine but I do recognize that money is limited. So, you have to have some kind of plan going forth and we're ahead of the plan with respect to the sensor system as oppose to the cameras. So, why wait until you get the whole bowl of wax? Very few non-profits, which is what we are, do that. We have a limited amount of money but I'm just going to add an editor comment, my concern in sitting here is that as Councilman Brown indicated, this has been in the radar screen since last summer and no push back. Absolutely no negatives about this at all and we've had countless meetings. I mean, just countless meetings, posted, briefings and on and on and on and then we get this debate on the floor. I guess me - - it's ok to debate on the floor but at least you would engage in earlier debate so we would know where the glitches are. That just didn't take place. I guess that's for me to say and you going to do what you're going to do. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I just have a very quick question. You said, Councilwoman Shabazz you said you're on the working group for the cameras. Do we have projected time of when we may get the cameras operable?

Ms. Shabazz: I - - may I Mr. President?

President Gregory: Go ahead.

Ms. Shabazz: There has not been - - you mean the comprehensive plan?

Ms. Dorsey Walker: Yes ma'am.

Ms. Shabazz: We have not got a timeline as to that but it is one of the major priorities on the agenda.

Ms. Dorsey Walker: Thank you.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Just to answer Councilman Brown's statement. As legislators, we're also here to decide whether we're going to purchase something that's good or something that's bad and all I did was brought up some numbers for us to look and to say that this isn't exactly what we're being sold. There are some glitches with this system also and all I'm doing is opening some eyes.

President Gregory: You want me to call up the representative from Shotspotter to refute your numbers? We'll be here all night.

Mr. Williams: I'm just saying as a responsible legislator, we're spending \$450,000 - - I'm just bringing up some scenarios that we need to consider before we move into....

President Gregory: We've had about five, seven meetings on this. We've had briefings. Some of you have (inaudible) had briefing at the highest level with (inaudible) with Police opinions and (inaudible) opinions, etc and then you ask those questions. Then you ask those questions? Ms. Walsh.

Ms. Walsh: I think one of things - - to hold people's feet to the fire too, that the ownness in this has to be on our contract compliance people because there are outs in these contracts but you have to make sure that you give them the certain the correct amount of time and what I have seen through several mayor's always, oh we've missed that date now it's renewed for another year. Or, oh we didn't see what that date was. You know, even if you have to go to an old fashion law firm type tickler system that glares up at you in red lights or red tabs that if you're not going to renew this contract, you have to do it by this date. There is a file for all the contracts. But you know, if you read this the City does have protection so that - - and since it's only a one year contract technically, you know, it really goes in for, my understanding, is, it goes in for the automatic renewal on this, we can keep our eyes on this and that if they're not living up to expectations, if they're not doing it, which are going to be the statistics too, then

somebody needs to set forth and not renew them or send a cancellation. But, again, that's going to be on the Mayor who is the leader of these departments and his police departments that he sets the tone for and decides who the vendors are going to be...(audible)

President Gregory: Let me try to answer Mr. Freel's question and you all can correct me if I'm wrong. There is no buy out. We went three years as oppose to one because we got a \$30,000 discounts.

Mr. M. Brown: That's right.

President Gregory: Am I recalling that correct?

Mr. M. Brown: That's right.

President Gregory: Ok. So yeah, it's a three year contract.

Ms. Walsh: So, these things in the contract don't apply at all?

President Gregory: You have to - - you can, you can breach your contract by not doing what you're supposed to do and you can always get out of it that way if it's not doing what it supposed to do. I mean, we do that all the time but it is a three year contract because we got a \$30,000 discounts. Ms. Cabrera.

Ms. Cabrera: I'm in support of a shotspotter. When all those conversations took place I've always been for it and whether that's the name, the brand name or not regardless, anything that's spots shots in the City, I was in support of that. I guess I would have rather of heard and seen the testimony of the City's and the Mayor's and those public officials really talking about this versus the salesperson. I would rather seen one of those people making the presentation but neither here nor there, I'm in support of this. But, sales people can come and sell their product and now we have a three year contract. I just want to make sure that we are getting, that we are being fiscally responsible and getting the best and that it's going to work. That we're not sold a bad, you know, that somebody did a good presentation.

President Gregory: Let me say this, from my understanding, Century was through the State being that that was Century. My understanding and the presentations that I've been a part of, Chief, Acting Chief Cummings, and others did due diligence in contacting other cities and fully vetted shotspotters and I'm told that some jurisdictions use it to do statistics, some jurisdictions do it a very sophisticated way to aggressively fight crime. It's what you make of it but it does have to work in tandem with a camera and we're going to need two cameras. We're going to add those cameras, it's my understanding. That commitment is there. Mr. Freel.

Mr. Freel: I still would like to ask the chairman to periodically have updates at his committee meetings and how well the system is working and not working.

Mr. M. Brown: I agree to that Mr. President.

President Gregory: You have that commitment.

Mr. M. Brown: I agree to that. You have that commitment.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. Like so many comments has said, my gravest issues is that the areas of the 1st District are not including and I would like to be in support but I find myself just struggling with that issue alone. I don't know if there's a way in which we can clarify these boundaries but I would like to know how and why we're not included.

Mr. M. Brown: Let, let - - if I may Mr. President.

President Gregory: Just a minute. Ms. Dorsey Walker, you had a question earlier, I put your name down.

Ms. Dorsey Walker: Mr. President, you already came to me, thank you. My question was answered.

President Gregory: What about you Mr. Williams. Did I get to you?

Mr. Williams: I'm good. Thank you sir.

President Gregory: Ok. Mr. Brown.

Mr. M. Brown: Mr. President, in lieu of this Ordinance of three mile radius, this is just something that the City Solicitor and Police Department put together. This is not etched in stone. If I wasn't told that this was - - some of these areas are some of what is perceived to be the highlights of shooting areas in our City. Now, that doesn't mean that it's not negotiable to redo these but even in this circle that is here in blue that the shotspotter can go beyond this three mile radius and if it's something that you need somewhere in your district that you want it, I'm quite sure having a conversation with the Administration and the Police Chief, they will be able to, should be able to accommodate you in having that re-put where you think is necessary to be. But, as men and women in blue, the professionals, they've charted this up, they did it because based on the volume of calls of shots being fired and people being shot in this circle it's what they've done. If you want that to be revisited, then you just pull them aside, having a meeting with them or bring it to my attention as the City Public Safety Chair and we will bring them in and

have them to re- discuss it in executive session, executive session. I don't think we need to do it now or in the public so that those who are sitting at home watching trying to find out and probably looking to see where we're going to place this, these shotspotter (inaudible). So, I just think it could be done and again, I'm going to close out by just saying, you know, we got to do something and nothing beats a failure but a try and I just don't believe in my heart even though I'm not disputing Councilman Williams and his numbers that he read off and the places he read them off from, that the representative from shotspotter is sitting here bone as day, and has given us presentation after presentation bone as day and to find out that he's coming in here selling us a lemon sort of speak.

President Gregory: Mr. Chukwuocha, do you have a follow-up?

Mr. Chukwuocha: I'm sorry.

President Gregory: Do you have a follow-up?

Ms. Cabrera: Follow-up.

Mr. Chukwuocha: No sir, thank you.

President Gregory: Ok. Coverage area; buy out; data; cost to something, I don't know what that says. I can't read my handwriting.

Mr. Congo: Expand, expand.

President Gregory: Cost to expand; and that's linear feet. Just ask him what the cost is for linear feet to expand. Nah, you're not coming up here.

Mr. M. Brown: Depending on the large, the size of the area, there will be a fee.

President Gregory: There is a cost.

Mr. M. Brown: There is a cost.

President Gregory: But I can tell you that there's a commitment to expand this program with both the sensors and with cameras.

Mr. Mr. Brown: Yes.

President Gregory: But you got to start somewhere...

Mr. M. Brown: Somewhere.

President Gregory: ...and we're starting somewhere and no matter where we start and no matter what we do, people are going to want like that AT&T commercial, the little kids, more and more and more but we have to start somewhere. I don't know, you know, I've always taken the position I'm not a police officer. I'm not going to tell you how to police the city. You know, that's just not me. I can't tell you where to put them and where not to put them. I'm sure if I was a district Councilman I'd be arguing for them for my district. I would also be arguing for cameras. I would also be arguing that we need to expand now and I believe that the commitment is there from this Mayor to expand both shotspotters and upgrade cameras. Clerk will call the roll.

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, eleven. Nays, Council Members Congo and Williams. Total, two.

President Gregory: Declare it adopted.

Mr. M. Brown: Yes Mr. President. I have a Resolution to present.

Mr. Michael Brown presented Resolution No. 14-003 as follows:

WHEREAS, by its Ordinance No. 97-051, amending 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 a requirement for Council approval by resolution, and including authorization for expedited grant applications in any situation in which a City office or department is required to file an application or proposal for grant funds prior to the next regular meeting of Council, in which case the application may be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

WHEREAS, the City, through the Wilmington Police Department, has sought to obtain grant funding from the State of Delaware Special Law Enforcement Assistance Fund ("S.L.E.A.F.") and State Aid to Law Enforcement ("S.A.L.L.E.") programs in the amount of \$176,785.94; and

WHEREAS, the said grants will provide funding for a variety of projects including funding for training and equipment; and

WHEREAS, the said grants do not require a local match; and

WHEREAS, in order to qualify for the grant and receive the funding, the application for said grant had to be submitted in advance of City Council approval by resolution; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grants from the State of Delaware S.L.E.A.F. and S.A.L.L.E. programs totaling \$176,785.94 for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department is hereby authorized to accept grant funding from the State of Delaware S.L.E.A.F. and S.A.L.L.E. programs in the amount of one hundred and seventy-six thousand, seven hundred and eighty-five dollars and ninety-four cents (\$176,785.94).

Mr. M. Brown: Yes Mr. President and others. This Resolution approves the Wilmington Police Department acceptance of grant funding from the State S.L.E.A.F. and S.A.L.L.E. programs in an amount of \$176,785.94 and this grant does not require any local match.

President Gregory: Clerk will call the roll. Just a minute, Mr. Brown, Darius Brown.

Mr. D. Brown: A question. The agenda item is a Resolution but the language is an Ordinance? Am I misreading this?

President Gregory: 3902?

Mr. D. Brown: Yes sir.

President Gregory: It's a Resolution.

Mr. M. Brown: It's a Resolution.

Mr. D. Brown: Ok.

Mr. M. Brown: It does but the paper does Mr. President. It says, whereas by its ordinance.

President Gregory: Clerk, call the roll.

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

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President, I have another Resolution to present.

Mr. Michael Brown presented Resolution No. 14-004 as follows:

WHEREAS, by its Ordinance No. 97-051, amending 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 a requirement for Council approval by resolution, and including authorization for expedited grant applications in any situation in which a City office or department is required to file an application or proposal for grant funds prior to the next regular meeting of Council, in which case the application may be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

WHEREAS, the City, through the Wilmington Police Department, has sought to obtain grant funding from the State of Delaware Department of Public Safety Emergency Illegal Drug Enforcement ("E.I.D.E.") program in the amount of \$31,944.36; and

WHEREAS, the said grant will provide funding for police officer overtime pay; and

WHEREAS, the said grant does not require a local match; and

WHEREAS, in order to qualify for the grant and receive the funding, the application for said grant had to be submitted in advance of Council approval by resolution; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grants from the State of Delaware E.I.D.E. program for \$31,944.36 for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department is hereby authorized to accept grant funding from the State of Delaware E.I.D.E. program in the amount of thirty-one thousand, nine hundred and forty-four dollars and thirty six cents (\$31,944.36).

Mr. M. Brown: Yes Mr. President. This Resolution approves the Wilmington Police Department acceptance of a grant funding from the State of Delaware E.I.D.E. program in the amount of \$31,944.36 and this grant also does not require any local match.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir. Thank you.

President Gregory: Ms. Walsh. Mr. Wright.

Mr. Wright: I do not have any legislation tonight. Thank you.

President Gregory: Ok, petitions and communications. Councilwoman Walsh asked to be excused at the end of the legislative business.

PETITIONS AND COMMUNICATIONS

Council Members announced committee, neighborhood planning council and civic meetings, community events and community projects in their districts. Council Members spoke about the following matters: City Summer Youth Program; SAT Prep; scholarship funds; reporting of pot holes; the need to encourage the Department of Economic Development to recruit more businesses other than Dollar Stores; a request to L&I to be a little more vigilant in enforcing City Codes around businesses; residents were encouraged to attend civic association meetings; report on snow removal and consolidating efforts between Public Works and Parks and Recreation Department saved money; trash/recycle collection schedule; increase of break-ins; meeting with Police regarding the deployment plan for 5th, 6th, 7th and 8th Districts; City of Wilmington being selected (1 of 8 cities in the country) to participate in a Community Progress Leadership Institute that will take place in Boston in March regarding vacant housing; sponsors were thanked (i.e. Home Depot, ShopRite and Kenny Foundation) who will be supplying all the food for the picnic that will take place after Community Project Day; Bike Tour de Cure – contact Ms. Travis at 656-0030 (ext. 4653); Design Lab School moving into the Community Education Building which will open August 2014; Affordable Healthcare Program deadline; Career Fair at the Chase Center for the Westin Hotel which is opening down at the Riverfront April 2014; and Acting Chief Cummings was thanked for reaching out to all employees of the Police Department.

President Gregory requested a letter be sent to the State of Delaware asking how much they spend on Delaware Comprehensive Assessment System (DCAS).

ADJOURNMENT

Upon a motion of Mr. Prado, seconded by Ms. Cabrera/Ms. Shabazz, Council adjourned at 8:50 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk