

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
April 3, 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 Traci Owens.

The Pledge of Allegiance was recited by City Council.

### **ROLL CALL**

The following members responded to the Call of the Roll: Council Members Chukwuocha, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera, Walsh and Wright\*, and Council President Gregory. Total, twelve. Absent, Council Member Congo.

### **MINUTES**

After reading a portion of the minutes of March 27, 2014, upon a motion of Ms. Walsh, seconded by Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Education, Youth &amp; Families Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
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

March 12, 2014

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, to who was referred **Ordinance No. 14-009** entitled:

AN ORDINANCE TO RENAME THE PARK LOCATED  
AT TATNALL STREET AND 24<sup>TH</sup> STREET FROM  
TATNALL PLAYGROUND TO “ONE LOVE PARK”

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/Sherry Dorsey Walker  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

<u>Community and Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh		X	
Darius J. Brown	X		
Maria D. Cabrera	X		
Ernest “Trippi” Congo, II	X		
Sherry Dorsey Walker	X		
Justen A. Wright	X		

March 13, 2014

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 4:30 p.m., Councilwoman Maria D. Cabrera presiding. The following item was discussed:

- Presentation on West End Neighborhood’s Planning & Development Department of West Side Grows

Respectfully submitted, Members of  
 Community and Economic Development Committee  
 /s/Darius J. Brown  
 /s/Maria D. Cabrera  
 /s/Ernest "Trippi" Congo, II  
 /s/Sherry Dorsey Walker  
 /s/Justen A. Wright  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

*Note: Councilwoman Cabrera chaired on behalf of Councilwoman Walsh. Also, the item referenced in the above aforementioned committee report did not require to be voted out of committee.*

<u>Health, Aging &amp; Disabilities Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Robert A. Williams	X		
Darius J. Brown		X	
Charles M. "Bud" Freel	X		
Sherry Dorsey Walker	X		
Justen A. Wright	X		

President and Members of Council of  
 The City of Wilmington

March 26, 2014

Ladies and Gentlemen:

We, your Health, Aging & Disabilities Committee, met on the above date at 5:00 p.m., Council Member Robert A. Williams presiding. The following item was discussed:

- Trauma surgeon Dr. Glen Tunkoff and members of the trauma team of Christiana Care Health Service will present "The Ripple Effect", a documentary on the medical consequences of gun and gang violence
- Presentation by ACCESS Wilmington: Creating Pathways Forward

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

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

*Note: Although Councilman Wright was present at the committee meeting, his signature was inadvertently missed and therefore not reflected above. In addition, the items referenced in the above aforementioned committee report did not require to be voted out of committee.*

Mrs. Seijo (City Clerk): Mr. President, I have a correction. Councilman Freel was present at that meeting.

President Gregory: Thank you. So noted.

The City Clerk read the following committee report:

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

March 31, 2014

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 14-005** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE WILMINGTON CITY CODE TO ESTABLISH A "COMMERCIAL SERVICES PARKING PERMIT"

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the 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

March 31, 2014

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-011** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS OR GENERAL OBLIGATION BOND ANTICIPATION NOTE, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE STREET PAVING AND RECONSTRUCTION OF VARIOUS STREETS AND ROADWAYS LOCATED WITHIN THE CITY LIMITS; PROVIDING FOR THE SALE OF THE BONDS OR THE NOTE; 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/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

<u>Housing, Licenses &amp; Inspections</u> <u>Committee Member</u>	<u>Present</u>	<u>Absent</u> <u>with Leave</u>	<u>Absent w/out</u> <u>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

April 2, 2014

Ladies and Gentlemen:

We, your **Housing, Licenses & Inspections Committee**, met on the above date at 4:30 p.m., Councilman Samuel Prado presiding. The following items were discussed:

- A Presentation of the FY2015 Annual Plan for the Department of Real Estate and Housing

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

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

#### **TREASURER'S REPORT**

The following Treasurer's Report dated April 3, 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.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON April 3, 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	\$ 2,530.59
106	Fire Pension Account	M & T Bank	\$ 4,064.17
107	Evidence/Found Currency Account	M & T Bank	\$ 51,203.35
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 52,785.14
113	Non-Uniform Pension	M & T Bank	\$ 1,111.82
114	Central Deposit	M & T Bank	\$ 114,767.34
117	Cement Workers	Wilmington Savings Fund	\$ 33,385.20
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 5,136.54
130	Payroll	M & T Bank	\$ 71,183.88
131	Pension Payroll Account	M & T Bank	\$ 126,095.81
139	Pension Healthcare Account	M & T Bank	\$ <u>1,152.19</u>
	Total Cash on Hand		\$ <b>482,086.04</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	04/03/14	0.01%	\$ 1.73	\$ 6,300,102.00
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
116	General	TD	CD	04/25/14	0.25%	\$ 397.26	\$ 2,000,000.00
105	Police Pension	WSFS	CD	04/29/14	0.30%	\$ 17.09	\$ 65,000.00
124	Non-Uniform 1990	WSFS	CD	04/29/14	0.30%	\$ 908.71	\$ 3,455,000.00
116	General	TD	CD	04/30/14	0.25%	\$ 547.95	\$ 2,000,000.00
116	General	TD	CD	05/02/14	0.25%	\$ 958.91	\$ 2,000,000.00
110	Capital	WSFS	CD	05/06/14	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General	WSFS	CD	05/16/14	0.30%	\$ 1,298.63	\$ 2,000,000.00
116	General	WSFS	CD	05/30/14	0.30%	\$ 1,528.77	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	06/02/14	0.25%	\$ 959.99	\$ 1,540,195.00
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 <sup>1</sup>	TD	CD	06/05/14	0.25%	\$ 9,957.28	\$ 14,537,615.00
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
116	General	WSFS	CD	06/13/14	0.30%	\$ 1,298.63	\$ 2,000,000.00
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					\$ 1,505,710.00
104	Escrow Pension	Vanguard					\$ 33,004,637.00
104	Escrow Pension	Black Rock					\$ 26,861,875.00
104	Escrow Pension	Edgar Lomax					\$ 19,736,773.00
104	Escrow Pension	Wilmington Trust					\$ 45,931,766.00
104	Escrow Pension	Manning & Napier					\$ 23,238,897.00
104	Escrow Pension	Earnest Partners					\$ 16,517,811.00
104	Escrow Pension	GMO					\$ 11,740,175.00
104	Escrow Pension	MFS Management					\$ 19,826,212.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,611,584.00
116	Deferred Comp.	MassMutual					\$ 38,095,641.00
	Total Investments						\$ 331,086,544.10
	Total Cash on Hand						\$ 482,086.04
	Grand Total						\$ 331,568,630.14

<sup>1</sup> Budget Reserve

<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

President Gregory: Mark Mr. Wright present.

Mrs. Seijo: So noted.

*\*Note: At this time, Councilman Wright was marked present.*

### **NON-LEGISLATIVE BUSINESS**

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

D. Brown	Elwyn Delaware 40 <sup>th</sup> Anniversary
D. Brown	Commend Wilmington Job Corps Graduates
M. Brown	Sympathy Bertha L. Lingham
M. Brown	Sympathy Charles J. Smith
Cabrera/Council	Retirement Inspector Victor Ayala
Cabrera/Council	Commend Housing Opportunities of Northern Delaware, Inc.
Cabrera	Sympathy Sheila Ann Miller-McGriff
Cabrera	Recognize Hispanic Student Achievers
Chukwuocha	Recognize Our Time Inc. and Brother Richard Muhammad
Gregory	Congratulate City Treasurer Henry Supinski
Gregory	Commend Alpha Kappa Alpha Sorority, Zeta Omega Chapter's 2014 Debutantes
Gregory	Recognize FAME National Robotics Week
Gregory/M. Brown	Commend Downtown Vision Safety Ambassador Stacy Gilbert
Shabazz/D. Brown	Recognize Delaware Elite Athletic Scholarship Program
Shabazz/Gregory	Commend National Black Conference of Black Political Scientists
Shabazz	Sympathy Victoria Leslie Martin
Wright	Recognize Pearl "Irene" Skinner – 80 <sup>th</sup> Birthday

### **LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

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

Mr. Chukwuocha presented and called for the third and final reading Ordinance No. 14-009 (Agenda #3904) entitled:

AN ORDINANCE TO RENAME THE PARK LOCATED AT TATNALL STREET AND 24<sup>TH</sup> STREET FROM TATNALL PLAYGROUND TO "ONE LOVE PARK"

Mr. Chukwuocha: Yes Mr. President, this is the Ordinance to rename 24<sup>th</sup> and Tatnall Street Park in honor or in tribute to Mr. Bob Marley who was a Wilmingtonian and it also speaks to a lot to revitalization as has been mentioned. This park is soon to be renewed with a new (inaudible) that this is a great way to highlight this change not only for this park but for that community. It brings a lot of hope and true optimism for the change that's needed in that community. I think it would be great not for the second district for our city in a whole and as an artist, I long and felt the power of music and lyrics and how words can transform individuals and transform the feeling that individuals have and that's truly in this song and this artist who is known worldwide and to have his connection (inaudible) in our city is great. As it was presented here this evening, there's been an array and lofty amount of emails and calls in support. So, I would hope that all of the City Council Members would support this Ordinance and again I think it's a great position for our city.

President Gregory: Any other comments? This was a fine piece for me as City Councilperson over the years. Every now and then you get that moment where you get to do a piece of legislation that's really fun to do. The Northwest Civic Association in the 2<sup>nd</sup> District, Neighborhood Planning Council were very gracious in helping and supporting this but all along the way it's just been fun. I have had people walk up to me and just show me their t-shirt and say it's "Bob Marley, One Love Park". It's just been amazing the response that I've gotten from this legislation. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, I think this is a great idea as well. I know the spirit of Bob Marley will be all throughout that park and to know that that location represents the only place in the United States that Bob Marley ever resided, it will also become a tour attraction. So, the neighbors would know that they will have people from all around the world who (inaudible) the words and the love that Bob Marley presented in his life and his music that they would be coming just to see that park. So, they would treat it with pride and I think it's a great thing that's it's doing for that neighborhood.

President Gregory: I want to thank the Planning Department through Ms....for all of her efforts in this regard. Okay. Clerk will call the roll.

Upon a motion of Mr. Chukwuocha, 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, Williams, Freel, M. Brown, Cabrera, Walsh, and Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one.

President Gregory: Declare it adopted. Mr. Congo is not here today. He indicated that he would be absent. Mr. Darius Brown.

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

Mr. Darius Brown presented Resolution No. 14-009 (Agenda #3916) as follows:

**WHEREAS**, House Bill #105 (“HB 105”), sponsored by House Representative John J. Viola and Senator Margaret Rose Henry, was proposed in the 147<sup>th</sup> Delaware General Assembly and will amend Title 15 of the Delaware Code relating to elections; and

**WHEREAS**, HB 105 provides for Same Day Registration (“SDR”), permitting eligible voters to register to vote and cast their ballots on the same day;

**WHEREAS**, HB 105 provides for SDR for the Presidential primary, primary, special, and general elections, while the current system requires registration by the fourth Saturday prior to the date of the election; and

**WHEREAS**, SDR is a time-tested and practical solution, and States permitting SDR consistently lead the nation in voter participation; and

**WHEREAS**, experts predict SDR can be exceptionally effective in increasing voter participation among people of color, who are historically among the most underrepresented population of voters; and

**WHEREAS**, The United States Election Assistance Commission reports that Delaware rejected 9 out of 10 provisional ballots cast in the 2012 General Election. SDR greatly reduces the need for provisional balloting, when citizens believe they are registered but their names do not appear on voter rolls; and

**WHEREAS**, a vast majority of election administrators agree that SDR does not compromise the election integrity and that fraud prevention measures, including proof of residency and an oath attesting to identity and citizenship, sufficiently protect the integrity of the vote; and

**WHEREAS**, Delaware has the opportunity to increase voter participation and further strengthen its democracy by adopting SDR.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council fully supports Same Day Registration in Delaware and encourages the members of the Delaware General Assembly to vote to approve House Bill 105.

Mr. D. Brown: Yes Mr. President, this Resolution as already articulated provides same-day registration here in the State of Delaware. It is HB 105, which is sponsored by State Representative Viola and State Senator Margaret Rose Henry.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, this Resolution supporting this House Bill, I believe it is something that is greatly needed. I hope that it also comes with accompanying of a very strong educational – a voting education campaign to those voters who wait till the last minute to vote. I think if we could work even harder to get them registered ahead of time so that the last – the same-day registration tool is not misused. Historically we know that in the African American community before there were times

when you know, there were – we were individuals who (inaudible) were gathered and paid you know, half-pint, \$5.00, put in a car, driven down to a voting booth and paid to vote for certain people. We don't want our, you know elected candidates to use influence of money and use this as a way of getting – of winning a vote. So, I hope that we know that this being in effect is accompanying by a very strong voting registration. We have intelligent voters using this to vote for an individual that's going to do things for their best interest and not because they've been paid to pull a certain level.

President Gregory: Thank you. Ms. Cabrera.

Ms. Cabrera: I would like to be added to the Resolution and I do concur with what Councilwoman Shabazz said that we hope that in doing this it does not get misused.

President Gregory: Ms. Walsh.

Ms. Walsh: That was some of mine concerns too with this because it's actually some (inaudible) a disgrace in our country with how young we are and that two groups specifically minorities and women who have only had the vote for less than 100 years – women - who don't even bother to get registered or to vote. You know, we look at these pictures around the rest of the world of people standing in line for days for the right to cast their vote and you know in this country we should hang our head in shame. We complain about everything but we don't want to go out and do anything about it.

President Gregory: Thank you. Mr. Williams.

Mr. Williams: Thank you Mr. President. First of all, I'd like to be added as a co-sponsor. Second of all, I just want to state that the hallmark of a great country is the opinion of its people and giving people the opportunity to vote regardless of whatever circumstances they may have come upon, this piece of legislation will serve to do that. Thank you.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. Actually Councilman Williams just said everything that I was about to say. So, no need to reiterate it.

President Gregory: Ditto. Clerk will call the roll.

Mr. D. Brown: Mr. President.

President Gregory: Oh, I'm sorry.

Mr. D. Brown: Thank you. I want to thank my colleagues for those that have added or added as co-sponsors and all the expressed opinions that were expressed

tonight. I did wanted my colleagues to know this piece of legislation is sponsored by our full Wilmington Delegation of Representatives Bolden, Potter, Keeley, Brady, JJ Johnson and Larry Mitchell. Thank you Mr. President.

President Gregory: Thank you. Clerk will call the roll.

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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

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

President Gregory: Mr. Prado.

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

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Mr. President, no legislation business tonight, thank you sir.

President Gregory: Mr. Freel.

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

Mr. Freel presented and called for the third and final reading Ordinance No. 14-011 (Agenda #3908) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS OR GENERAL OBLIGATION BOND ANTICIPATION NOTE, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE STREET PAVING AND RECONSTRUCTION OF VARIOUS STREETS AND ROADWAYS LOCATED WITHIN THE CITY LIMITS; PROVIDING FOR THE SALE OF THE BONDS OR THE NOTE; AND AUTHORIZING OTHER NECESSARY ACTION

Mr. Freel: Yes Mr. President, earlier this year in a Bond Committee meeting with City Treasurer Henry Supinski and representatives from the Mayor's Office and Public Works, I questioned about when this City would go to the market for their capital program, which included \$4 million for street paving. I was informed that it's probably be some time summer or early fall and having heard that I know that any funds that we got for street paving we wouldn't be able to do anything until next construction season in 2015. So, I asked the City Treasurer if there's a way that we could try to get some money now so that we could get some contracts on the street this spring to pave these streets especially after the winter we had and that's what we have before us tonight. It's Anticipation Note of \$4 million dollars - - the money will be used for street paving and patching and then once we go to the market and get the full amount, this Note will be paid off.

President Gregory: Anyone else? Mr. Brown.

Mr. D. Brown: Thank you Mr. President. I think this Ordinance just speaks to the value of the City Treasurer's Office and on behalf of the residents in my district who I've continue to receive phone calls about the potholes that are still in our streets, it's important that we invest in our infrastructure and that's what this Ordinance does.

President Gregory: It also speaks to the value of Mr. Freel.

Ms. Shabazz: Right.

Mr. D. Brown: Yeah, thank you.

President Gregory: You missed that part in the presentation. Ms. Cabrera.

Ms. Cabrera: I would like to be added as a sponsor and yes the value of the Treasurer and Mr. Freel.

President Gregory: Thank you. And, I appointed Mr. Freel as chair of the Finance Committee, so, we can keep going on and on. Mr. Wright.

Mr. Wright: Oh, I didn't ask to speak.

President Gregory: Oh, you didn't. Ms. Shabazz.

Ms. Shabazz: I did. I also like to be added on and congratulation on the great work of Mr. Freel in finding this.

President Gregory: Anyone else? The Clerk will call the roll please.

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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one.

President Gregory: Declare it adopted. Mr. Brown, Michael Brown.

Mr. Michael Brown: Yes Mr. President, thank you but nothing tonight.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening.

President Gregory: Ms. Walsh.

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

Ms. Walsh presented Resolution No. 14-010 (Agenda #3917) as follows:

**WHEREAS**, the Delaware General Assembly will enact a bill known as the Downtown Development Districts Act (the “Act”) to be sponsored by Senator Margaret Rose Henry; and

**WHEREAS**, the Act is intended to leverage state resources to stimulate private investment in commercial business districts and their surrounding neighborhoods, improve the commercial vitality of our downtowns areas and increase the number of residents in our downtown areas and surrounding neighborhoods; and

**WHEREAS**, the Act will create “Downtown Development Districts” which are a small number of areas in our cities that would qualify for significant development incentives and other state benefits; and

**WHEREAS**, municipalities must apply for areas to be identified as a Downtown Development District, and such applications will be evaluated by the Cabinet Committee on State Planning Issues, who will then make recommendations to the Governor; and

**WHEREAS**, the Governor will designate at least 1, but no more than 3, Districts in each County and the designation of the first 3 Districts by the Governor will include one District in each county; and

**WHEREAS**, the primary criteria considered in evaluating District designation applications are as follows:

1. Need and Impact –consideration of the unemployment rate, median income, rate of homeownership and prevalence of vacant and abandoned houses in the municipality.

2. Quality of District Plan – the municipality’s overall development plan to ensure orderly growth.
3. Quality of Local Incentives – the effective operation and management of Districts will require partnerships between state and local governments. High-quality local incentives are an important indicator of a municipality’s commitment to that partnership, and are a critical part of helping Districts reach their full potential.

**WHEREAS**, investors who make qualified real estate improvements in a District would be entitled to receive Downtown Development District Grants of up to 20% of their “hard costs” (exterior, interior, and structural improvements). This incentive is modeled after a Virginia program that has been very successful in leveraging significant amounts of private investment in under-served areas.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Council supports the Downtown Development Districts Act and encourages all General Assembly members to vote to approve the legislation.

Ms. Walsh: Mr. President, this is a Resolution going to the General Assembly asking them to support the Downtown Development District Act that is being sponsored by Senator Henry, Margaret Rose Henry. What this will do, it’s very much a partnership between the state and local governments and that a special committee will look at development plans and decide who is actually going to get these. There are allowed one to three in each county. The Governor has made no bones about the fact that he would like Wilmington to be one of these three. This is not a hand shake and a wink of an eye. This is a real program that has to be put together for the revitalization of certain areas within our city. It will enable private investors to recoup and to get 20% of their hard costs for any project that they would put within this district. So, it would be a good incentive for investment.

President Gregory: Thank you. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, I glad to be a co-sponsor on this Resolution to the General Assembly encouraging them to support this innovative idea. Many times we work with our constituents to come up with revitalization plans, we go through the planning, we go through (inaudible) but then we get stop because we don’t have the resources and the supports from all levels of governments to make those ideas and revitalization plans come off the paper and actually become brick and mortar. We now have with this new Act of opportunity for that to actually happen. So, I’m really excited about this and look forward to you know Wilmington area being designated as this Downtown Development District and so we can actually see some major revitalization happening in our neighborhoods.

President Gregory: I’d like to highlight one feature of the plan before I go to others to speak and that is that while it’s called the Downtown Development District Act, it in fact goes 175 acres beyond the downtown, which is very important for CDC’s

to understand, Neighborhood Planning Councils to understand, Neighborhood Associations to understand and even individual property owners. It's just a little bit for everyone and its \$7 million dollar for this year and if it's successful and money being available it will roll on for I think it's another nine years for a total of ten years. So, its downtown but it's not the downtown so there's something in here for neighborhoods within a 175 is it radius or (inaudible), I guess it's a radius of downtown. Who was next? Ms. Cabrera.

Ms. Cabrera: I too would like to be added and this is actually something very important, very happy to see this, thank you Councilwoman Walsh and Shabazz. As someone who's an advocate for small businesses, for economic development, I think that with something like this we could really be serious about supporting our existing businesses but not only that but drawing additional businesses into that downtown area, which as you mentioned Mr. President, will exceed into some of the neighborhoods. One of things I love about our city is that we can find these small mama and papa businesses in a lot of our neighborhoods and if this is something that will help them also grow, I think it's great and we thank the Governor and move forward with this.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. I support the piece and co-sponsored the piece. It helps us with our neighborhoods in particular for areas in which I represent looking at the Eastside and the Brandywine Village area and wanted to make sure that with this application that the Administration is leading that effort but ask the Administration or you know to make mention of that, you know I would like the Administration involve Council get an opinion of what that area looks. There's two questions around the 175 acres – does that take in the actual streets because if you take out the street, which is not a part of any private ownership than you actually have more space that you can include in that 175 acres. So, I'm a sponsor of supportive of it but I just wanted (inaudible) the Administration to be a little more inclusive on how we define that area.

President Gregory: Ms. Shabazz.

Ms. Shabazz: I also want to add that we talked about businesses but from my understanding a homeowner themselves, you are able to get a grant for this well if you invest in the revitalization of your home. So, it's not - - it's actually very much inclusive. It's businesses, it's the CDC's, as an individual homeowner if you invest in your home and you meet the qualifications, you too can get a grant of 20% of the costs of your investment. I think this is just a wonderful thing.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Walsh, seconded by Ms. Shabazz/Mr. Freel, 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one.

President Gregory: Declare it adopted. Mr. Wright.

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

Mr. Wright presented and called for the third and final reading Ordinance No. 14-005 (Agenda #3896) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE WILMINGTON CITY CODE TO ESTABLISH A “COMMERCIAL SERVICES PARKING PERMIT”

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

AN ORDINANCE TO AMEND CHAPTER 37 OF THE WILMINGTON CITY CODE TO ESTABLISH A “COMMERCIAL SERVICES PARKING PERMIT”

Mr. Wright: Yes Mr. President, I'd like to make a motion to amend Substitute No. 1 to Ordinance 14-005.

President Gregory: Make your motion.

Mrs. Seijo: State your...

Mr. Wright: I said it.

President Gregory: Did you make your motion? What's the substance of it?

Mr. Wright: Yes the substance of it, excuse me. On line 2 I'd like to insert the word *person* after a - - after letter a. All my colleagues should have a copy of this. On line 4 after renovations I'd like to insert parenthesis ( ) *e.g.* which stands for, for example, the words *plumbing, electrical work*. After painting, I'd like to insert the word *healthcare* and I want to delete the word *maid* and insert *cleaning services* that's in line 4 and line 16, I'm going to insert the word *person* after the and that's the 4<sup>th</sup> from the bottom line.

President Gregory: That's the motion.

Mr. Wright: Yes sir.

President Gregory: Is there a second?

Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that the Ordinance be amended as presented in writing and as Mr. Wright just presented it all verbally. All those in favor so note...

Mr. Freel: Mr. President.

President Gregory: On the question?

Mr. Freel: Yup.

President Gregory: I'm sorry, go ahead Mr. Freel.

Mr. Freel: And I apologize for not bringing this up the other night or in our discussion but would you consider changing the hours from 9am to 5pm? The reason I raise that is if you're in some residential areas where there is parking restrictions, there are a lot of folks that get home from work around five o'clock and there could be issues with them finding places to park and things like that.

President Gregory: Let me do this. All those in favor - - on the question - then I'll come back to you. On the question, as to the first motion to amend? Then we're going to do the second motion to amend.

Ms. Cabrera: Yes.

President Gregory: Unless you don't need me to do it that way. It doesn't matter to me. It just keeps it orderly.

Mr. Freel: I just thought - - well, okay.

President Gregory: It keeps it orderly.

Mr. Wright: That's fine.

President Gregory: Motion to amend seconded. On the question. All those in favor so note by saying "Aye", Oppose, Abstentions. Aye's have it. Second amendment.

Mr. Freel: Okay, well my motion would be to and I don't know what line that is but where it says Monday through Friday during the hours of 9am to 6pm that would just be changed from 9am to 5pm. That was my question. I'm making that motion. Is that what you were asking? My motion would be in whatever line that is to change the six (6) to five (5).

President Gregory: Mr. Freel has a motion on the floor, does anyone second?

Mr. Williams/Ms. Shabazz: Second.

President Gregory: It's been properly moved and seconded. On the question. All those in favor so note of the motion to amend so note by saying "Aye", Oppose, Abstentions. Aye's have it. So the Ordinance is now before you with the two (2) amendments. Now, we're going to go to the Ordinance to discuss the Ordinance. On the question, Mr. Wright.

Mr. Wright: Ok, let me just speak to the Ordinance before I go off to the left field. Let me just say the Ordinance we had a lengthy discussion in committee, there were a number of concerns that were brought up; we made some amendments tonight regarding this Ordinance to hopefully capture all the thoughts of my colleagues that was presented at the committee meeting. Essentially, this Ordinance here will allow a commercial entity or individual that holds a license to get a parking permit that will give them the opportunity to park and let's say a time limited area. It does not cover immediate areas; it does cover loading zones. It gives them 2-hours instead of 1-hour to park at the loading zone. The industries are listed here as it is stated in all legislation, you have to, they have to meet the requirements and not owe the City anything. You must have a valid business license and all those concerns.

Also, with respect to this Ordinance there was concern for regarding like healthcare. So, we added that as far as maids and different individuals. There is no limit and the reason why is because thinking that if we limit it, the number of permits per company it would kind of create a problem because the decal is going to be affixed to the vehicle and the reason why we did that is because if you have something that you can just pass around, it could be given to anyone. So, we didn't want to compromise the parking permit in that regard. So, we're going to have it affixed to the vehicle. Also, the thoughts behind having a limit was because we think it would be cost prohibited at \$250.00 you know, don't think too many people would want to incur that cost or we could be wrong. If so, we will amend it at the appropriate time. I think that pretty much captures everything and all the concerns I think that was presented at the meeting.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I think the whole concept and idea – this is a good idea in trying to be user friendly for commercial services throughout and businesses throughout our city. I just have a couple of questions. You added the

word *person* so is the person and individual who needs to have a business license - a City of Wilmington business license, does that still make them a company already? So they would do it in their personal name or will they do it in business name?

Mr. Wright: For instance, if I own Justen A. Wright Plumbing Services, I'm just the sole individual owner of that business and I have one vehicle that I utilize then that will give me the opportunity to use that one vehicle as an individual. You are working under the umbrella of the business but it's a personal vehicle.

Ms. Shabazz: So then it's, it is as though you're doing under the company's name...

Mr. Wright: That's correct.

Ms. Shabazz: ...so then but you have, you added the word to a *person* can get one. I guess I'm just trying to understand an individual person with a city business license would get the license under the business name and not under their personal name. So what's the difference between the two?

Mr. Wright: We did that to accommodate your request as it pertains if there's a healthcare or maid person who works for a company and they say, "oh, well you have to get it on your own", but under the company umbrella they have to pay for it. We thought that would help capture the concern you had. So, that's why I inserted the word *person*.

Ms. Shabazz: And I thought that's why it was but I guess my question still would be, and I apologize Mr. Chair - Mr. President if I may continue, if I work for such an agency like Bayada, I'm an employee of Bayada and so then the employee Bayada would get the permit for me and put it on my car and they would pay for it. So, it wouldn't be in my name. It would be in Bayada's name. And, I think that was the same thing with a delivery company - the individuals who serving as delivery persons for a company. If the company gets it then the company gets it and puts it on my car. It's not in my name. It's in the company's name. So, if we say *person* here, than any individual person, I'm just trying to understand the difference between an individual person getting and but have to have a valid city business license even as a sole proprietor, you are still a company.

President Gregory: Let me chime in for the purposes of clarity. If you read the sentence, it would read as follows: the person - - then you take out the other verbiage - - the person must possess a valid city issued business license and any and all outstanding financial obligations due and owed to the City of Wilmington including tickets outstanding, it goes back to the person when you inject *person* that way. It does not go back to the company or corporation, which is what you were saying, which is distinctly different. It really takes - the legislation takes on a whole different character and the implications need to be flushed out when you go from a company or corporation

to a person. How many persons within person? How does it work? But, I just throw that out. That's what you were saying, I think. Mr. Wright you were going to respond.

Mr. Wright: I'm...

President Gregory: I tried to add some clarification to it...

Mr. Wright: Yeah.

President Gregory: ...I thought Councilwoman Shabazz was saying.

Mr. Wright: Right.

President Gregory: But you wanted to respond.

Mr. Wright: It kind of goes back to again when we say *person*, I mean the example I gave earlier at the end of the day - - so let's say if in fact I, I guess what another scenario I could use, as a, if I had a valid business license as a landlord, I'm a person. So, I mean, it's the same thing in that regard I would think.

President Gregory: Ms. Cabrera.

Ms. Cabrera: My question is the person is using their individual vehicle - you know how you run the tags and that person who is using that individual vehicle may have some outstanding tickets although they have this permit to be in the neighborhood through the commercial permit, I guess how would that scenario work out? Will they still get a boot? I guess is what I want to know.

Mr. Wright: Anyone that's boot eligible would get a boot. In order to get the parking permit you just can't have any indebtedness to the City.

Ms. Cabrera: The business or the person?

Mr. Wright: It would be the business and yeah it would be the business I would say.

President Gregory: And the person, the way you changed this. Ms. Walsh.

Mr. Wright: I mean look at the end of the day we can strike the word out. I just wanted to please my colleague. It's creating too much of an issue so we could strike the word *person* out. I don't have a problem with that just so we can move forward.

President Gregory: Ms. Walsh.

Ms. Walsh: I was going to ask a question on that because a lot of times the cleaning companies that they have - - The Maids and Merry Maids and all those things, a lot of those people are contractual employees.

Mr. Wright: Right.

Ms. Walsh: So that the companies don't have to pay health benefits and all the other things for them but also, sometimes it's their cars that are being used.

Mr. Wright: That's what I said.

Ms. Walsh: And, will this - - and you know they go out in groups too so, but now, if it's put on their personal car then it also, the ownness goes on them...

President Gregory: And any other car they own.

Ms. Walsh: ...with other taxes too. I'm talking about city wage taxes and...I'm just thinking out loud here.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I was hoping to get clarity just for on the word healthcare. I'm trying to see if that would include social workers or other (inaudible) service professionals who may be providing (inaudible) house services, community-base services, if they would be included under the healthcare title?

President Gregory: I would say no. I'm not the city solicitor though.

Mr. Wright: Right.

President Gregory: I don't think so.

Mr. Wright: Any person can't do it if you don't have a...Mr. President let's do this, let me just hold this and we'll come back later because I don't...let's just holding so we can keep moving, please.

President Gregory: Thank you. We'll go to...thank you Mr. Wright.

Mr. Wright: Can I be excused?

President Gregory: Sure.

Mr. Wright: Thank you.

## PETITIONS AND COMMUNICATIONS

Council Members announced committee/budget hearing meetings, community meetings and civic association meetings, community events/programs and community projects in their districts. Council Members spoke about the following matters: Press Conference out of New Castle County Police Headquarter on a joint operation between the Delaware State Police, New Castle County Police, Wilmington Police and multiple Federal and Air National Guard Tactical Units and more specifically spoke on the seizure and arrest operation that took place on Lancaster Avenue; metropolitan policing as a pilot program in the City of Wilmington; Affordable Health Care enrollment; concerns people have expressed via calls and emails since the Mayor's Budget Address; property assessments by New Castle County; protest at McDonald's on 4<sup>th</sup> Street from the fast food workers and livable wage; and including but not limited to the City's publicity department and the need to support businesses in the City of Wilmington.

Mr. Michael Brown requested a letter be prepared to be sent to New Castle County Executive and the Mayor's Office asking for a review and feasibility of making New Castle County and Wilmington a metropolitan police force.

## ADJOURNMENT

Upon a motion of Mr. Darius Brown/Ms. Shabazz, seconded by Ms. Walsh/Ms. Cabrera, Council adjourned at 8:24 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk