

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
June 5, 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\*, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, twelve. Absent, Council Member Walsh. Total, one.

### **MINUTES**

After reading a portion of the minutes of May 22, 2014, upon a motion of Mr. Freel, seconded by Mr. Williams/Mr. Prado, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

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

May 28, 2014

President and Members of Council of  
The City of Wilmington

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:

- A presentation by Dr. Robin Miller on Brain Cancer in recognition of Brain Cancer Awareness Month.
- A presentation by State Representative Charles Potter, Jr. on House Bill #343, An act to amend Titles 10 and 16 of the Delaware Code relating to nonviolent drug offenders.
- A presentation by Planned Parenthood of Delaware on the Sexuality Education Training Institute at Planned Parenthood of Delaware and its work with the Personal Responsibility Education Program (PREP) Grant.

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

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

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		

June 2, 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. 14-018** entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3 TO THE FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013, AS AMENDED), THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

Respectfully submitted, Members of  
Finance Committee  
/s/Samuel Prado  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

\*Note: Although the above referenced ordinance was voted out of the committee and Ms. Walsh attended the meeting, her signature is not reflected on the committee 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		

June 2, 2014

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 2 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/Samuel Prado  
 /s/Loretta Walsh  
 /s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Mr. Freel, seconded by Mr. Prado/Mr. Williams, 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		

June 2, 2014

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-020** entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE  
 IN ORDER TO EXTEND THE CITY'S TAX ABATEMENT AND  
 EXEMPTION PROGRAMS TO JUNE 30, 2018

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Samuel Prado  
 /s/Loretta Walsh  
 /s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Mr. Freel, seconded by Mr. Prado, 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		

June 2, 2014

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-022** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 14052HRPS –  
THIRD PARTY ADMINISTRATION OF INSURANCE CLAIMS  
WITH PMA MANAGEMENT CORP.

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

Respectfully submitted, Members of  
Finance Committee  
/s/Samuel Prado  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Mr. Freel, seconded by Mr. Prado, 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		

June 2, 2014

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-023**  
entitled:

AN ORDINANCE TO AMEND CHAPTERS 4 AND 34 OF THE  
CITY CODE REGARDING THE REQUIREMENT OF ALL  
WINDOWS TO BE OPERABLE

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

Respectfully submitted, Members of  
Finance Committee  
/s/Samuel Prado  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk read the following committee report:

<u>Housing, Licenses &amp; 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

May 7, 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 item was discussed:

- A Resolution authorizing the disposition of 630 Townsend Street to David Hammond (homeowner) for use as a side yard

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

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

### TREASURER'S REPORT

The following Treasurer's Report dated June 5, 2014 was read into the  
record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Prado, the  
Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON June 5, 2014**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 6,386.81
105	Police Pension Account	M & T Bank	\$ 183,903.36
106	Fire Pension Account	M & T Bank	\$ 121,107.83
107	Evidence/Found Currency Account	M & T Bank	\$ 44,003.40
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 44,645.69
113	Non-Uniform Pension	M & T Bank	\$ 1,111.82
114	Central Deposit	M & T Bank	\$ 13,382.45
117	Cement Workers	Wilmington Savings Fund	\$ 33,393.01
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	\$ 5,804.18
130	Payroll	M & T Bank	\$ 98,614.27
131	Pension Payroll Account	M & T Bank	\$ 39,361.00
139	Pension Healthcare Account	M & T Bank	\$ <u>77,260.81</u>
	Total Cash on Hand		<b>\$ 686,116.83</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	06/05/14	0.01%	\$ 2.09	\$ 7,595,942.00
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
124	Non-Uniform 1990	WSFS	CD	06/25/14	0.30%	\$ 835.52	\$ 3,765,000.00
106	Fire Pension	WSFS	CD	06/25/14	0.30%	\$ 272.95	\$ 1,230,000.00
116	General	WSFS	CD	06/27/14	0.30%	\$ 1,167.12	\$ 2,000,000.00
116	General	WSFS	CD	06/27/14	0.30%	\$ 575.34	\$ 2,000,000.00
116	General	TD	CD	06/30/14	0.25%	\$ 86.25	\$ 466,350.00
116	General <sup>1</sup>	TD	CD	06/30/14	0.25%	\$ 2,489.32	\$ 14,537,615.00
116	General	TD	CD	07/11/14	0.25%	\$ 1,386.99	\$ 2,500,000.00
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
116	General	TD	CD	07/25/14	0.25%	\$ 1,246.58	\$ 2,000,000.00
110	Capital	WSFS	CD	08/04/14	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General	WSFS	CD	08/08/14	0.30%	\$ 1,890.41	\$ 2,500,000.00
116	General	WSFS	CD	08/22/14	0.30%	\$ 1,742.46	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	09/15/14	0.25%	\$ 1,107.68	\$ 1,540,195.00
116	General	WSFS	CD	09/19/14	0.30%	\$ 2,071.23	\$ 2,000,000.00
116	General	TD	CD	10/28/14	0.25%	\$ 1,839.73	\$ 1,700,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,519,207.00
104	Escrow Pension	Vanguard					\$ 33,194,065.00
104	Escrow Pension	Black Rock					\$ 26,203,628.00
104	Escrow Pension	Edgar Lomax					\$ 20,485,132.00
104	Escrow Pension	Wilmington Trust					\$ 45,766,737.00
104	Escrow Pension	Manning & Napier					\$ 23,450,771.00
104	Escrow Pension	Earnest Partners					\$ 16,437,761.00
104	Escrow Pension	GMO					\$ 11,988,020.00
104	Escrow Pension	MFS Management					\$ 18,896,657.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,784,423.00
116	Deferred Comp.	MassMutual					\$ 38,434,257.00
	Total Investments						\$ 329,013,311.10
	Total Cash on Hand						\$ <u>686,116.83</u>
	Grand Total						\$ 329,699,427.93

<sup>1</sup> Budget Reserve

<sup>2</sup> SEU

/s/Henry W. Supinski  
City Treasurer



## NON-LEGISLATIVE BUSINESS

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

M. Brown	Recognize Matthew Emerson, Alleyne Pierre, Tobias Martin, Keith Tucker, Kinard Lang (Canby Park Maintenance Crew)
M. Brown	Sympathy Thomas Maddrey
M. Brown	Commend Master Corporal Gary Tabor
Cabrera	Sympathy Maria Nilsa Rodriguez-Mendez
Cabrera	Sympathy Evelyn M. Tietze
Freel	Best Wishes Mrs. Mardell Coates – 80 <sup>th</sup> Birthday
Gregory	Sympathy Samuel B. Miller
Prado	Retirement Mrs. Maria C. Prado
Shabazz	Sympathy Maya Angelou
Walsh	Commend Local 1102 Women’s Committee’s “Fresh Start Drive”
Wright	Sympathy Marjorie J. Stansbury
Wright	Retirement Dr. Frances H. Leach
Wright	Commend Delta Sigma Theta Sorority, Inc. - 20 <sup>th</sup> Anniversary
Wright	Recognize "Team Delaware 7 on 7 Football Program"

\*Note: Mr. Congo was marked present during the non-legislative business.

## LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Yes Mr. President. I have a Resolution to present.

Mr. Chukwuocha presented Resolution No. 14-017 (Agenda #3932) as follows:

**WHEREAS**, Wells Fargo Bank (“Wells Fargo”) is the owner of the real property located at 2702 Moore Street, Wilmington, Delaware, being Tax Parcel No. 26.022-203.58 (the “Property”); and

**WHEREAS**, the City of Wilmington (the “City”) is the owner of the adjoining property located at 2700 Moore Street, Wilmington, Delaware; and

**WHEREAS**, Wells Fargo has expressed an interest in donating the Property to the City for future redevelopment; and

**WHEREAS**, the City is willing to accept a donation of the Property from Wells Fargo.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council, acting pursuant to Wilm. C. (Charter) §8-204, hereby approves the acceptance of the Property by the City of Wilmington from

its current owner, Wells Fargo Bank, and authorizes the Department of Real Estate and Housing to take all actions necessary, including the payment of any recording fees, to finalize the transfer of the Property to the City of Wilmington.

Mr. Chukwuocha: Yes Mr. President. This is a Resolution for the City to receive a property from Wells Fargo. As mentioned, 2702 Moore Street, which is the 1<sup>st</sup> District and area of development. There's been a lot of development in that area and definitely in support of it and hoping my colleagues will support it as well.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Chukwuocha, seconded by Mr. Williams/Mr. Prado, 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 and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. 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. D. Brown presented Resolution No. 14-018 (Agenda #3933) as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) '8-205, a department head, board or commission of the City shall not sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over in such real estate without advertised public notice appearing in at least one daily newspaper of City-wide distribution and Authority by general ordinance and later resolution from the Council so to do@; and

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

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

**WHEREAS**, the Inter-Neighborhood Foundation is seeking to rehabilitate certain real property located at 507 & 517 Shearman Street, being Tax Parcel Nos. 26-036.103-73 and 26-036.103-78 (collectively, the “Property”) to be sold for homeownership; and

**WHEREAS**, in accordance with the recommendation of the Department of Real Estate and Housing, the City desires that the interest of the City in the Property be declared surplus and be approved for disposition and transferred to Inter-Neighborhood Foundation, a non-profit corporation, for the rehabilitation of the homes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby declares as surplus and authorizes and approves the disposition of any interest the City of Wilmington may have in the Property, to Inter-Neighborhood Foundation, a non-profit corporation, for the rehabilitation of the homes to be sold for homeownership.

**BE IT FURTHER RESOLVED** that Council authorizes the Director of Real Estate and Housing to execute any and all documents necessary to effectuate the transfer of the Property, including any and all undertakings and assurances heretofore.

Mr. D. Brown: Yes Mr. President. By recommendation of the City’s Department of Real Estate and Housing, we are proposing to dispose of two properties – 507 and 517 Shearman Street. This is - - these properties will be disposed of, to Inter-Neighborhood Foundation, which is a local non-profit, housing non-profit here in the City to rehabilitate – to rehab these and provide homeownership in Wilmington’s eastside.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. D. Brown, seconded by Mr. Williams/Mr. Prado, 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 and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Brown.

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

Mr. D. Brown presented Resolution No. 14-019 (Agenda #3934) 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. 26-036.30.255 being located at 934 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

**WHEREAS**, after acquisition of the Property, the City intends to transfer or redevelop the Property to assist with eastside revitalization efforts.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that the 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 Department 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 property – 934 Pine Street is also a recommendation of the City’s Department of Real Estate and Housing for Real Estate and Housing to acquire this property from the NST Program with US Bank or the NAT Program with US Bank and what Real Estate and Housing will be doing is acquiring this property and rehabbing this property or disposing of this property to someone to own it and for this property to become inhabitable, as you can see from the pictures that’s attached, this property is currently not inhabitable. It sits on the eastside of Wilmington on the 900 block of Pine Street and so we want to do as much as we can to stabilize that area and provide affordable, quality homeownership opportunities on Wilmington’s eastside.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. D. Brown, seconded by Mr. Prado, 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 and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 14 -020 (Agenda #3935) 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 it deems appropriate for any municipal purpose; and

**WHEREAS**, the Department of Real Estate and Housing of the City (the “Department”) is the legal owner of the property located at 630 Townsend Street, Wilmington, Delaware, being Tax Parcel Number 26-057.200-49 (the “Property”); and

**WHEREAS**, on July 8, 2010, Wilmington City Council (“Council”) did declare the Property as surplus pursuant to Resolution No. 10-046; and

**WHEREAS**, a request for proposals was issued by the Department, in accordance with the procedures set forth in Wilm. C. § 2-622 through § 2-624, and the request for proposals was advertised in the News Journal on February 10, 2014 and on February 17, 2014 being due to the Department by March 7, 2014; and

**WHEREAS**, a proposal in the amount of \$800.00 was received from Mr. David Hammond, the adjoining neighbor to the Property and the legal owner of 632 Townsend Street, and he proposes to use the Property as a side yard; and

**WHEREAS**, Council, upon the recommendation of the Department, hereby authorizes the City to dispose of the Property to Mr. David Hammond.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Council hereby authorizes and approves the disposition of the Property from the City to Mr. David Hammond.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the transfer of the Property, including any and all undertakings and assurances heretofore.

Ms. Shabazz: This Resolution authorizes the City to dispose of the property located at 630 Townsend Street to Mr. David Hammond who owns the adjoining property next door to it and he responded. It was two offers offered for it but because he’s a property owner and plans to use it for a side yard and has been maintaining it, he – the community supported it and I ask that Council also support this Resolution to dispose this property.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, 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 and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 14-024 (Agenda #3936) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/  
PARKING REGULATIONS

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

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 14-021 (Agenda #3937) as follows:

**WHEREAS**, on April 14, 2014, over 300 teenaged girls in Chibok, Nigeria, were kidnapped by a militant Islamic terrorist group known as Boko Haram; and

**WHEREAS**, the girls were kidnapped from a local government secondary school that teaches math and science because they were receiving a non-Islamic or Western education; and

**WHEREAS**, in carrying out the kidnapping, Boko Haram conducted a five-hour assault on the village; and

**WHEREAS**, in attempting to flee their kidnappers, at least two children died; and

**WHEREAS**, media reports indicate that over 276 children still remain unaccounted for and that additional kidnappings by Boko Haram may be occurring in the country; and

**WHEREAS**, reports indicate that the children may have been forced into sexual slavery and trafficked into neighboring towns and countries; and

**WHEREAS**, millions around the world have called for the safe return of the girls; and

**WHEREAS**, the City of Wilmington has a long tradition of opposing human trafficking of any kind in the United States and the world; and

**WHEREAS**, these reprehensible actions necessitate a reaffirmed commitment to speaking out against human trafficking of all kinds.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City of Wilmington extend its sympathies to the families of all children who have died as a result of the Boko Haram kidnappings.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City of Wilmington extend its strong, unified and unwavering support to the kidnapping victims, their families and the people of Nigeria as they work for the return of the girls.

Ms. Shabazz: Mr. President, it lay heavy on my heart that I felt that I wanted to make sure everyone (inaudible) how the City of Wilmington's unwavering and unifying support of the victims and families of the people in Nigeria and how we - - as

we oppose the violent terrorist act against the young girls over there and I wanted to express it through this Resolution and look forward to my colleagues supporting it.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. If it is okay with the sponsor, I'd like to co-sponsor this Resolution with her.

Ms. Shabazz: I welcome everyone.

President Gregory: So noted, so noted.

Ms. Cabrera: I would like to be added as well Mr. President.

President Gregory: So noted. Mr. Prado.

Mr. Prado: Yes, I commend Councilwoman Shabazz for this Resolution. This is a terrible story – forced conversions of these young women and unfortunately in some of these tribal societies, if you are converted to Islam, you can't go back. They consider it apostasy. So, they'll be killed if they try to go back to their own religion. It's just a terrible story what's happened but I commend her for bringing this issue and I'm going to do something similar like – similar like this to what's going on in Syria. I think that we need to get a message to our delegation that there's a you know, a similar - - similar terrible things are happening in Syria but unfortunately I think our government is on the wrong side of that conflict but I'll probably be doing something similar to this but I want to be a co-sponsor also too please.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. We've seen a lot of coverage of this story around the 276 that were kidnapped - - a similar story that happened actually two weeks before this story – was forty-six young boys that were killed. A part of this culture is because of them being males they were killed and the females were kidnapped and very probable that they were sold into doing different things within the sex trade. So, I'd like to be added as a co-sponsor to this legislation but also want to bring some awareness to what is - what is occurring over there not only to young girls but also to young boys. So, even though it may be different culturally as to the impact there and what is occurring here in our country, we all should be mindful of – of – of these different occurrences that are happening around the world. And, I would just ask the sponsor that with – hopefully with passage of this - that this be also sent to our delegation and also to the Embassy of Nigeria.

President Gregory: So noted. Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. As well I would like to (inaudible) as co-sponsor. As many you know, I have deep family ties to Nigeria and I must say that one thing to me about this Resolution and a lot of people think that it happens, you know, that is mainly because of militancy and Islamic religion but there are many, many kidnapping in Nigeria that don't have anything to do with faith, they're just happening (inaudible) there's a lot of you know, ill will been happening. So, I'm glad that it is receiving a lot of attention but I think that some of the attention is being mis-skewed and misdirected to you know, this militancy Islam but there are kidnappings not only in Nigeria but throughout other countries throughout the continent of Africa. So, I just wanted to bring that point of awareness (inaudible). It was my family - - it was on Wednesday - on Tuesday we were at the soccer game Nigeria vs Greece and there was a great moment there where the Nigerian community stood up for the ladies. So, I'm definitely glad to be in support of this Resolution. Thank you.

President Gregory: So noted. Mr. Brown.

Mr. Michael Brown: I want to be added too Mr. President.

President Gregory: So noted. Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, 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 and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: I have a final - - an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 14-025 (Agenda #3938) entitled:

AN ORDINANCE TO AUTHORIZE AN AGREEMENT  
BETWEEN THE CITY AND THE KENT COUNTY  
SOCIETY FOR THE PREVENTION OF CRUELTY TO  
ANIMALS AK/A FIRST STATE ANIMAL CENTER AND  
SPCA FOR ANIMAL CONTROL SERVICES

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



President Gregory: I would encourage all of my colleagues to attend the meeting. Six hundred thousand dollars for an animal control and sheltering may seem like a nominally but that's what we're kind of stuck with. So, there's some new onsets that you really need to understand because what I don't want to do is have a committee meeting on the floor on the night that we vote on this. I mean some limited discussion but I really would not like to come here and have a full blown committee meeting. We can do it in committee. Mr. Prado.

Mr. Prado: No legislation Mr. President.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President. Thank you.

President Gregory: Mr. Williams.

Mr. Williams: No legislation this evening sir.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President. I have four Ordinances for third and final and one for first and second.

Mr. Freel presented and called for the third and final reading Ordinance No. 14-018 (Agenda #3920) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3  
TO THE FISCAL YEAR 2014 OPERATING BUDGET  
(BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1  
TO ORDINANCE NO. 13-013, AS AMENDED), THE  
ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3  
TO THE FISCAL YEAR 2014 OPERATING BUDGET  
(BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1  
TO ORDINANCE NO. 13-013, AS AMENDED), THE  
ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

Mr. Freel: Yes Mr. President. There's two key parts to this Ordinance. The first part is about \$1.27 million from the City's (inaudible) fund balance to cover mostly overtime and some material costs from this past winter's numerous storms. If you go to Page 20 you can see a breakdown of some of those costs. The second piece of this is a transfer of about \$487,000.00 from the Cable Television Fund to cover a number of costs with upgrades both to equipment for this Chamber and in the Council Committee room on my right. This amendment is for Fiscal Year 2014, the year that we're in presently.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Shabazz, 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, M. Brown, Cabrera and Wright, and Council President Gregory. Total, eleven. Nays, Council Member Freel. Total, one. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Yes sir, another Ordinance please.

Mr. Freel presented and called for the third and final reading Ordinance No. 14-020 (Agenda #3922) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE  
IN ORDER TO EXTEND THE CITY'S TAX ABATEMENT AND  
EXEMPTION PROGRAMS TO JUNE 30, 2018

Mr. Freel: Yes Mr. President. This extends the Tax Abatement Program, the City's Real Estate Tax Abatement Program for both parking structures and for either improvements or new construction in historic districts. The Program expires June 30, 2014. This will extend it to June 30, 2018.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Shabazz, 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 and Wright, and Council President Gregory. Total, twelve. Nay, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Another sir for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 14-022 (Agenda #3929) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 14052HRPS –  
THIRD PARTY ADMINISTRATION OF INSURANCE CLAIMS  
WITH PMA MANAGEMENT CORP.

Mr. Freel: Yes Mr. President. We're entering into a new contract with PMA Management Corporation to process and administer our insurance claims program. The initial period is 14-months and then after that there's a potential for three one-year extensions. The initial period to 14-months is about \$114,500.00; the three extensions, if we enter into them, will be about \$98,150.00 a year.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Shabazz, 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 and Wright, and Council President Gregory. Total, twelve. Nay, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: I have an additional - - last one for third and final.

Mr. Freel presented and called for third and final reading Ordinance No. 14-023 (Agenda #3931) entitled:

AN ORDINANCE TO AMEND CHAPTERS 4 AND 34 OF THE  
CITY CODE REGARDING THE REQUIREMENT OF ALL  
WINDOWS TO BE OPERABLE

Mr. Freel: Yes Mr. President. This basically tweaks our City Code as far as operable windows on units that are either not single-family or two-family dwellings. It keeps us in line with the International Building Code of 2012.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Mr. Prado, 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 and Wright, and Council President Gregory. Total, twelve. Nay, none. Absent, Council Member Walsh. Total, one.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President. I have one for first and second.

President Gregory: Declare it adopted.

Mr. Freel: Oh, I'm sorry.

Mr. Freel presented and called for the first and second reading Ordinance No. 14-026 (Agenda #3939) entitled:

AN ORDINANCE TO REZONE CERTTAIN PORTIONS OF THE PROPERTY COMPRISING THE FORMER WILMINGTON FINISHING COMPANY SITE FROM C-6 (SPECIAL COMMERCIAL DISTRICT) TO W-4 (WATERFRONT RESIDENTIAL COMMERCIAL DISTRICT) AND R-2 (ONE-FAMILY SEMI- DETACHED DWELLINGS) AND TO REZONE THE PROPERTY LOCATED AT 2/3 MILL AVENUE FROM C-6 (SPECIAL COMMERCIAL DISTRICT) TO W-4 (WATERFRONT RESIDENTIAL COMMERCIAL DISTRICT) ZONING CLASSIFICATION

This Ordinance was given two separate readings by title only and upon a motion of Mr. Freel, seconded by Mr. Prado, was received, recorded and referred to the Finance Committee and Planning Commission. Motion prevailed.

Mr. Freel: Mr. President, just one note, that's 2 and 3 Mill Avenue.

Mrs. Seijo: I'm sorry.

Mr. Freel: It's 2 and 3 Mill Avenue, not two-thirds.

Mrs. Seijo: 2 and 3.

President Gregory: So noted.

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

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President. Nothing tonight, thank you for asking.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

Mr. Wright: Yes Mr. President. I have an Ordinance to present.

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. This is a commercial services parking permit that would allow a commercial entity to purchase a parking permit at a fee of \$250 per vehicle. This is not permitted in metered parking areas. The time variable that would be allowed is from 9am to 6pm. And again, this is not for metered areas and here we go.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. First, I want to commend Councilman Wright on this piece that’s something that’s really needed especially as Wilmington continues to evolve and grow that we do have to look at some of antiquated parking laws and come up with ways that we can make – doing business in the City much more feasible and I believe this is a very good piece and I would ask that I could be a co-sponsor.

President Gregory: So noted. Ms. Cabrera.

Ms. Cabrera: I think that also this is an excellent piece and leads to you know providing that customer service and making sure that we are not so user unfriendly especially when it comes to businesses or that people would want to come and do business in the City of Wilmington. The only concern I have is that I believe the \$250 is still a steep amount but we’re going to roll it out and see what happens and what kind of responds it needs and I’m sure we could always amend it down the road. I think

(inaudible) a business who has a multiple vehicles that have to come into the City to do work in different locations. You know it starts adding up into the thousands but this is an excellent piece and I commend Councilman Wright and I too would like to be a sponsor of it.

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

Upon a motion of Mr. Wright, seconded by Ms. Shabazz/Mr. Prado, the above aforementioned **Substitute** (Rev. #2) 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, and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

### **PETITIONS AND COMMUNICATIONS**

Upon a motion of Mr. Michael Brown, seconded by Ms. Dorsey Walker/Mr. Prado, Petitions and Communications were suspended this evening with one opposition (Ms. Cabrera).

### **ADJOURNMENT**

Upon a motion of Mr. M. Brown and duly seconded, Council adjourned at 7:45 p.m. Motion prevailed.

Attest:   
*Maribel Seijo, City Clerk*