

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
October 16, 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\*, Freel\*, Cabrera\*\*, Walsh and Wright, and Council President Gregory. Total, eleven. Absent, Council Members Williams and Michael Brown. Total, two.

### **MINUTES**

Ms. Walsh: Mr. President, I have a point of order on the previous minutes and that is we have to correct them so that it reads on Agenda #3945 that the vote be changed to 5 Yeas, 6 Nays and 2 Absent.

President Gregory: For those who don't know the number, that would be the "Smoking Ordinance". Is there a second to the motion?

Mr. Prado/Ms. Shabazz: Second.

President Gregory: Properly moved and second on the amendment. At this time to go motion and a second to accept the minutes as corrected. Did you make a motion to accept the minutes "as corrected"?

Ms. Walsh: Yes, he seconded it.

President Gregory: Okay. It's been properly moved and seconded that the minutes be accepted as corrected. On the question, all those in favor signify by saying "Aye", Oppose, Abstentions. Aye's have. Committee reports.

Ms. Walsh: Well Mr. President, now I move that the minutes be accepted.

President Gregory: But that's what I said.

Ms. Walsh: Oh okay. I'm sorry.

President Gregory: That's what I did. That was done. Committee reports.

Ms. Seijo: Thank you.

Mr. Wright: You have to make a motion?

President Gregory: That's okay. But she said it so I accepted that as a motion. You follow? It got done.

Ms. Seijo: Thank you, so noted.

After reading a portion of the minutes of October 2, 2014, upon a motion of Ms. Walsh, seconded by Mr. Prado/Ms. Shabazz, it was moved they be accepted "**as corrected**". Motion prevailed.

### REPORT OF COMMITTEES

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	

Date: 10/6/14

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 14-040** as amended entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE  
IN ORDER TO EXTEND THE CITY'S EXEMPTIONS FROM REAL  
ESTATE TAXATION TO CAREGIVERS

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 Ms. Shabazz, seconded by Ms. Walsh, the Report was received, recorded and filed. Motion prevailed.

The 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		

October 8, 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 Loretta Walsh presiding. The following item was discussed:

- A presentation on the expansion of the Nemours A. I. duPont Hospital for Children, including the economical impact of new jobs by the Chief Operating Officer, Mr. Paul Kempinski
- Discuss the City of Wilmington's Resolution for the "Downtown Development District" Application
- Update on the City's Economic Development Plan

Respectfully submitted, Members of  
 Community and Economic Dev. Committee  
 /s/Loretta Walsh, Chair  
 /s/Darius J. Brown  
 /s/Maria D. Cabrera  
 /s/Ernest Congo, II  
 /s/Sherry Dorsey Walker  
 /s/Justen A. Wright

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

\*Note: At this time, Mr. Freel and Ms. Dorsey Walker were marked present.

The City Clerk read the following committee report:

<u>Education, Youth &amp; 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

October 9, 2014

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 6:00 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following item were discussed:

- Priority Schools presentation by State Department of Education Secretary Mark Murphy and the Department of Education's Chief Accountability and Performance Officer Penny Schwinn

Respectfully submitted, Members of  
 Education, Youth & Families Committee  
 /s/Nnamdi O. Chukwuocha, Chair  
 /s/Maria D. Cabrera  
 /s/Ernest Congo, II  
 /s/Hanifa Shabazz  
 /s/Sherry Dorsey Walker  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

**TREASURER'S REPORT**

The following Treasurer's Report dated October 16, 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 October 16, 2014**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,963.81
105	Police Pension Account	M & T Bank	\$ 2,225.97
106	Fire Pension Account	M & T Bank	\$ 1,857.23
107	Evidence/Found Currency Account	M & T Bank	\$ 164,097.84
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 33,828.67
113	Non-Uniform Pension	M & T Bank	\$ 1,111.82
114	Central Deposit	M & T Bank	\$ 12,950.49
117	Cement Workers	Wilmington Savings	\$ 33,828.67
118	Worker's Comp. 3 <sup>rd</sup> Party Account	Fund	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 6,230.37
130	Payroll	M & T Bank	\$ 97,650.80
131	Pension Payroll Account	M & T Bank	\$ 32,269.41
139	Pension Healthcare Account	M & T Bank	\$ 3,494.51
	Total Cash on Hand	M & T Bank	<b>\$ 408,651.79</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	10/16/14	0.01%	\$ 1.98	\$ 7,195,329.00
116	General	WSFS	CD	10/17/14	0.30%	\$ 986.30	\$ 2,000,000.00
116	General	TD	CD	10/28/14	0.25%	\$ 1,839.73	\$ 1,700,000.00
105	Police Pension	WSFS	CD	10/30/14	0.30%	\$ 187.40	\$ 760,000.00
124	Non-Uniform 1990	WSFS	CD	10/30/14	0.30%	\$ 1,209.45	\$ 4,905,000.00
116	General	TD	CD	10/31/14	0.25%	\$ 2,465.76	\$ 5,000,000.00
116	General	WSFS	CD	11/07/14	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	WSFS	CD	11/14/14	0.30%	\$ 1,380.82	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	11/20/14	0.25%	\$ 9,249.03	\$ 15,003,965.00
110	Capital	WSFS	CD	11/21/14	0.30%	\$ 21,927.81	\$ 24,476,000.00
116	General	WSFS	CD	11/26/14	0.30%	\$ 1,578.08	\$ 2,000,000.00
116	General	WSFS	CD	11/26/14	0.30%	\$ 3,698.63	\$ 5,000,000.00
116	General	WSFS	CD	11/26/14	0.30%	\$ 1,474.52	\$ 2,300,000.00
116	General	TD	CD	12/12/14	0.25%	\$ 1,452.06	\$ 2,000,000.00
116	General	WSFS	CD	12/17/14	0.30%	\$ 1,541.09	\$ 2,500,000.00
116	General	TD	CD	12/23/14	0.25%	\$ 1,602.74	\$ 2,000,000.00
116	General	TD	CD	01/05/15	0.25%	\$ 1,181.51	\$ 1,500,000.00
116	General	WSFS	CD	01/09/15	0.30%	\$ 1,873.97	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	01/15/15	0.25%	\$ 1,287.02	\$ 1,540,195.00
116	General	WSFS	CD	01/23/15	0.30%	\$ 2,071.23	\$ 2,000,000.00
116	General	TD	CD	01/30/15	0.25%	\$ 1,181.51	\$ 1,500,000.00
514	Risk Management	WSFS	CD	07/10/15	0.35%	\$ 14,938.32	\$ 4,279,819.74
515	Worker's Comp.	WSFS	CD	07/10/15	0.35%	\$ 14,938.32	\$ 4,279,819.74
104	Escrow Pension	Affinity Wealth					\$ 1,473,262.00
104	Escrow Pension	Vanguard					\$ 34,765,400.00
104	Escrow Pension	Black Rock					\$ 26,981,862.00
104	Escrow Pension	Edgar Lomax					\$ 16,933,635.00
104	Escrow Pension	Wilmington Trust					\$ 46,283,657.00
104	Escrow Pension	Manning & Napier					\$ 21,689,321.00
104	Escrow Pension	Earnest Partners					\$ 17,674,196.00
104	Escrow Pension	GMO					\$ 11,912,798.00
104	Escrow Pension	MFS Management					\$ 19,947,102.00
139	Medical Escrow	Black Rock-OPEB					\$ 12,728,130.00
116	Deferred Comp.	MassMutual					\$ 37,682,749.00
	Total Investments						\$ 346,012,240.48
	Total Cash on Hand						\$ 408,651.79
	Grand Total						\$ 346,420,892.27

<sup>1</sup> Budget Reserve

<sup>2</sup> SEU

/s/Henry W. Supinski  
City Treasurer

**NON-LEGISLATIVE BUSINESS**

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

All Council	Retirement Celena Hicken
All Council	Sympathy Ruby Mae Ryle
Cabrera/Council	Sympathy Alejandro Lind
Chukwuocha	37 <sup>th</sup> Annual Hershey National Track & Field Meet (Parks & Recreation)
Dorsey Walker	Sympathy Mary Rachel Doughty
Gregory	Retirement Howard R. Young, Jr.

\*\*Note: At this time, Ms. Cabrera was marked present.

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

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

Mr. Chukwuocha presented Resolution No. 14-047 (Agenda #3983) as follows:

**WHEREAS**, pursuant to Section 2-363 of the Code of the City of Wilmington (“City”), the City may apply for and receive grant funds to be used for a wide variety of City activities, subject to the approval of City Council; and

**WHEREAS**, the City has been approved by the Department of Education for the State of Delaware to receive grant funds from the Federal government for the operation and cost of the Child and Adult Care Food Program (the “Food Program”), which is set to run from October 6, 2014 through May 31, 2015, and which may be extended for one similar period upon the agreement of the parties; and

**WHEREAS**, the amount of the grant funds for the FY2015 Food Program is estimated by the Department of Parks and Recreation to be approximately \$477,163.00 based upon the increased number of meals projected to be served in comparison with the FY2014 Food Program (see Exhibit “A”); and

**WHEREAS**, although the City is not required to provide matching funds for receipt of these grant funds, the City is initially required to pay the Food Program vendor with City funds and is then reimbursed by the Federal government through the State of Delaware for the payments. There will be no net financial impact on the City, provided the City complies with all Federal and State requirements attached to the Food Program; and

**WHEREAS**, the City has prepared the necessary specifications to solicit bids from prospective vendors to submit bids for a contract to provide meals to eligible participants in the Food Program, which contract may be extended for one additional similar period; and

**WHEREAS**, the Department of Parks and Recreation has recommended that City Council approve the City's use of the grant funds for the Food Program in accordance with the terms of the grant.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described Federal grant funds received from the State of Delaware for the Food Program be accepted and approved, and the Mayor or his designee, and the City Clerk are hereby authorized to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary. This grant and the resulting contract to provide meals for the Food Program may be extended for one additional similar period upon the agreement of the parties.

Mr. Chukwuocha: Yes Mr. President, this is the annual for the Fall Feeding Program through Parks & Recreation for the summer, I mean the winter feeding program and I believe it's 1200 meals a day and it's going to be 39 sites and it's a reimbursed grant.

President Gregory: Clerk will call the roll please.

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

President Gregory: Declare it adopted. Mr. Congo.

Mr. Congo: Nothing tonight. Thank you.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President, nothing tonight.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Yes 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. 14-046 (Agenda #3984) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF  
NEW STREET FROM THE OFFICIAL CITY MAP

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

President Gregory: 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. 14-047 (Agenda #3985) entitled:

AN ORDINANCE TO ADOPT THE SUBDIVISION PLAN  
KNOWN AS “WALNUT RIDGE AT 15<sup>TH</sup> AND WALNUT  
STREETS” AND TO ACCEPT THE DEDICATION OF A  
NEW CITY STREET TO BE NAMED “KOINONIA DRIVE”

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

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

Ms. Shabazz presented Resolution No. 14-048 (Agenda #3986) as follows:

**WHEREAS**, under the Downtown Development Districts Act, 22 *Del. C.* §§ 1901, *et seq.* (the “Act”), the State of Delaware may designate districts within Delaware’s cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

**WHEREAS**, these districts are known as Downtown Development Districts (“Districts”); and

**WHEREAS**, the State is accepting applications for the designation of the initial round of Districts, with such applications being due on November 1, 2014; and

**WHEREAS**, under the Act, each applicant must submit a plan that includes the boundaries of, and a detailed planning and development strategy for, the proposed District (the “District Plan”); and

**WHEREAS**, under the Act, each applicant must also propose incentives that address local economic and community conditions, and that will help achieve the purposes set forth in the Act (the “Local Incentives”); and

**WHEREAS**, the City of Wilmington (the “City”) plans to submit an application to the State for designation as a District; and

**WHEREAS**, if the City is successful and receives District designation, the District Plan and Local Incentives proposed by the City shall be binding upon the City; and

**WHEREAS**, the incentives associated with designation as a Downtown Development District would greatly benefit current and future residents, businesses, non-profit organizations, and others within the City of Wilmington; and

**WHEREAS**, the incentives associated with designation as a Downtown Development District would assist in stimulating private investment in the City’s commercial business districts and their surrounding neighborhoods, improve the commercial vitality of the City’s downtown areas and increase the number of residents in the City’s downtown areas and surrounding neighborhoods; and

**WHEREAS**, Council of the City of Wilmington strongly believes that it is in the best interest of the City to apply for District designation and supports and recommends that the City submit an application to have certain areas of the City designated as Downtown Development Districts.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Council supports the City’s application to the State of Delaware to have certain areas of the City designated as Downtown Development Districts and Council supports the Application for Designation as a Downtown Development District prepared by the Department of Planning and Development and dated October 16, 2014 (the “Application”).

**BE IT FURTHER RESOLVED** that Council authorizes the City to appoint a District administrator (the “Administrator”) to file the Application on behalf of the City, and to provide such other documents and information as may be necessary or desirable in connection with the Application.

**BE IT FURTHER RESOLVED** that if the City is successful and the City receives notice that it has been selected for designation as a District: (a) the City shall adhere to the District Plan and the Local Incentives contained in the Application for the duration of the District designation, (b) the Administrator, or his or her designee(s), is authorized to execute such documents and enter into such agreements as may be necessary or desirable in connection with the Downtown Development Districts program and the rights and obligations of the City thereunder and (c) the Administrator, or his or her designee(s), is authorized to carry out all District administrative and reporting requirements on behalf of the City for the duration of the District designation.

Ms. Shabazz: Mr. President, this Resolution is being presented by the Administration and City Council’s approval. Once approved, Council will be authorizing the Administration to submit an application to the State by November 1<sup>st</sup> requesting that Wilmington be designated as an official development district under the state’s Downtown Development District Act. This new law was enacted during the last session of the

Delaware General Assembly. If Wilmington is designated in development plan assembled by the Administration, Council Committee representatives will be entitled to certain government - - state government funding support in order to achieve the development goals listed in the Plan. Mr. President, the Plan was presented at the Economic Development Committee and there was and it was presented intense - - extensively and questions were ask. It comes with great incentives; this designation will transform downtown Wilmington and connected with its adjacent neighborhoods from the east and west of it. The beautiful part about it that the east and west neighborhoods all have revitalization plans that once designated will give them access to resources to bring those plans to life. I think this is a great opportunity for downtown Wilmington and not just downtown Wilmington but the neighborhoods to the west of it and to the east of it being Eastside and West Center City.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. As part of this DDD designation, I just want to stress the importance, even though in the name it talks about downtown, how important this is to our neighborhoods and particular for me via eastside neighborhood and the work that's being done there around revitalization and redevelopment, this not only will help with business growth in development but it also helps with housing and I think that's a very strong and important component of this designation. And, when we look at particular areas on Wilmington's east side and west of Market Street that we look at a lot of the dilapidated housing/vacant housing and blight that we see there that with the proper project, we can really turn neighborhoods around (inaudible).

President Gregory: I must thank the Administration particularly through Lenny Sophrin for all the work they did on this and the briefings and updates that they gave City Council. It's truly a partnership between the legislative and the executive branch and we played our little small part, offered observations and suggestions but it was to be driven by the executive branch of government. It was driven by executive branch of government and we will be going – sending that application to Dover as a unified effort. So, I just want thank the Administration through Lenny Sophrin for including us in the process. The Clerk will call the roll.

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

President Gregory: Declare it adopted. Mr. Prado.

Ms. Shabazz: Mr. President, before we go forward. I need to make a correction on my last two ordinances. I said I referred them to the Public Works but instead they're being referred to the City Planning Commission.

President Gregory: Ok, then out. So noted, so noted. Mr. Prado.

Mr. Prado: Nothing tonight Mr. President, thanks.

President Gregory: Ms. Dorsey Walker.

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

Ms. Dorsey Walker presented and called for the third and final reading Ordinance No. 14-040 (Agenda #3974) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE IN ORDER TO EXTEND THE CITY'S EXEMPTIONS FROM REAL ESTATE TAXATION TO CAREGIVERS

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

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE IN ORDER TO EXTEND THE CITY'S EXEMPTIONS FROM REAL ESTATE TAXATION TO CAREGIVERS

Ms. Dorsey Walker: Mr. President, after seeing a lot of my constituents kind of going through trials and tribulations, I was thinking about and work with the Finance Department on this Ordinance, in particular Director Sheila Winfrey-Brown as well as other folks – other members from the Administration – in particular the Law Department. And, what we saw, in particular, there are two in my districts that were actually taking care of sick love ones and they needed some kind of reprieve because having that sick love one in their home, the water bill went up, of course they still had to pay taxes. So, what this does is it gives them, people who are taking care of sick love ones, an opportunity to get just a little a bit of a reprieve on their water and taxes. And, it has to be removed every year and they must present legal documentation stating that they are, that sick love one is still living in that home.

President Gregory: Is this your first ordinance?

Ms. Dorsey Walker: Yes. So, I'm about to go through the coals.

President Gregory: I was just reading it and I....

Ms. Dorsey Walker: I just want to make sure you remember there's no pledging.

President Gregory: I was just trying to see if love one is a legal term of order or not. I'm reading the ordinance and I don't see....

Ms. Dorsey Walker: Formal member, sir.

President Gregory: You meant family member?

Ms. Dorsey Walker: Yes, sir. I stand corrected.

President Gregory: Ok. You get ready to confuse me there.

Ms. Dorsey Walker: I do not want to confuse the President of the Council.

President Gregory: I appreciate that.

Ms. Walsh: Mr. President.

President Gregory: Ms. Walsh.

Ms. Walsh: My questions. I have questions.

President Gregory: Please ask your questions.

Ms. Walsh: Not hazing one either, unfortunately.

President Gregory: Ok.

Ms. Walsh: I've really been drawling all week back and forth on this Ordinance because you know, I also see people struggling; I have a great relationship with many seniors in this City and I understand 100 people in the City right now are the only ones affected by it but there's scams born every minutes too. And, the one thing that we're doing in the City is trying to get properties on tax rolls. That part of the reason we're in the financial situation we are now, is because of all the tax exempt properties and tax reduced properties that we have in the City of Wilmington. So, mind you, may have moved with a brother in-law or sister in-law or grandparent or somebody else in the County well you can get a break in the City, let's go and do it. Fine, that might be three people. It's three more than we need. And, it affects the water and the taxes and I don't see any income on this Ordinance either in that - - I don't know I get really drawn between that you know, we've been (inaudible) in my family of having to take care of our relatives and we - it's what we did. It's what our religion taught us to do. It's what, you know, if we couldn't have chicken four nights a week, we didn't have chicken four

nights a week and it's just what a family does for somebody that they love. And, at some point, we have to say, where is the line in the sand drawn in our City? That there isn't any where out there that has not necessarily anything to do with this bill at all, this is just like collateral damage. But it has to do with what's going on in our streets right now with some of the services that are being not giving and people are angry out here. And, people that I've never would have even thought would have known about this bill, have made comments to me, like, you know, here you go again. Because whether anybody votes on anything or not, whatever it's the blame on the street that City Councilmember gets blame for it. So that's just the way it is here. So, I'm sorry but unfortunately, I can't be voting for it this evening.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Dorsey Walker, seconded by Ms. Walsh, the aforementioned **Substitute** Ordinance (Rev. #1, Agenda #3974) 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 Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Freel, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, Council Member Walsh. Total, one. Absent, Council Members Williams and Michael Brown. Total, two.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Free: Yes sir. I have two Ordinances for first and second.

Mr. Freel presented and called for the first and second reading Ordinance No. 14-048 (Agenda #3987) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2  
TO FISCAL YEAR 2015 OPERATING BUDGET (BEING  
AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO  
ORDINANCE NO. 14-016, AS AMENDED) BY MAKING  
CHANGES TO THE FISCAL YEAR 2015 POSITION  
ALLOCATION LIST FOR THE CITY AUDITOR'S OFFICE

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

President Gregory: Mr. Freel.

Mr. Freel: One additional for first and second.

Mr. Freel presented and called for the first and second reading Ordinance No. 14-049 (Agenda #3988) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE COSTS OF ACQUIRING CONTAINERS FOR MUNICIPAL SOLID WASTE COLLECTION AND RECYCLING RECEPTACLES FOR USE WITHIN THE CITY LIMITS; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

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

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

President Gregory: Ms. Walsh.

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

President Gregory: An Ordinance first.

Ms. Walsh: Oh, yeah. Sorry.

Ms. Walsh presented and called for the first and second reading Ordinance No. 14-045 (Agenda #3989) entitled:

AN ORDINANCE APPROVING THE REZONING OF FIVE AREAS WITHIN THE BAYNARD BOULEVARD ANALYSIS AREA

This Ordinance was given two separate readings by title only and upon a motion of Ms. Walsh, seconded by Mr. Freel, the aforementioned Ordinance was received, recorded and referred to Community and Economic Development Committee. Motion prevailed.

President Gregory: Resolution.

Ms. Walsh presented Resolution No. 14-049 (Agenda #3990) as follows:

**WHEREAS**, Ordinance No. 14-045, which proposes certain amendments to the Zoning Map by rezoning five (5) areas within the Baynard Boulevard Analysis Area is being introduced by City Council at its regular meeting of October 16, 2014; and

**WHEREAS**, certain amendments to the Neighborhood Comprehensive Development Plan for the Baynard Boulevard Analysis Area must also be made in order to reflect changes in the proposed zoning designation for the five (5) areas; and

**WHEREAS**, the City Planning Commission will review the said Ordinance No. 14-045, or a Substitute thereto, and the respective amendments to the Neighborhood Comprehensive Development Plan for the Baynard Boulevard Analysis Area at its October 21, 2014 regular meeting and will make a recommendation of the City Planning Commission to the City Council; and

**WHEREAS**, the City Council proposes to schedule a public hearing for review of Ordinance No.14-045, or a Substitute thereto, and the respective amendments to the Neighborhood Comprehensive Development Plan for the Baynard Boulevard Analysis Area to be duly advertised in conformity with Wilm. C. '48-51, by publication in any newspaper of general circulation, at least once, not less than fifteen (15) days prior to the date of the public hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council hereby schedules a public hearing on Ordinance No. 14-045, or a Substitute thereto, and the respective amendments to the Neighborhood Comprehensive Development Plan for the Baynard Boulevard Analysis Area to be held on November 20, 2014, at 6:30 p.m., in the City Council Chambers, to consider the proposed rezoning of the property within five (5) areas.

**FURTHER RESOLVED**, that the City Clerk is hereby directed to publish notice of the said public hearing in the manner and form required.

Ms. Walsh: Mr. President, this sets up the date for the bill that was just moved for the Planning Commission to examine the legislation and it deals with Baynard Boulevard Comprehensive Plan.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted.



## PETITIONS AND COMMUNICATIONS

Council Members announced committee meetings/civic association meetings, community events and walks throughout their districts. Council Members spoke on the following matters: meeting regarding the priority schools; mentors still needed at Shortlidge Elementary on 18<sup>th</sup> Street; scholarship funds; free shuttle service for seniors; the status on the auditing of different departments in the City; flood insurance; new businesses on 9<sup>th</sup> Street; and including but not limited to constituents were encouraged to attend civic associations meetings as well as other functions occurring throughout their districts. Council members thanked groups and individuals for assisting in community events and/or other matters in their districts as well as congratulated groups and individuals.

## ADJOURNMENT

Upon a motion of Mr. Wright, seconded by Ms. Walsh/Ms. Cabrera, Council adjourned at 7:24 p.m. Motion prevailed.

Attest:   
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*Maribel Seijo, City Clerk*