

*Wilmington, Delaware
Louis L. Redding
City/County Building
April 16, 2015*

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*, Walsh and Wright, and Council President Gregory. Total, thirteen.

MINUTES

After reading a portion of the minutes of April 2, 2015, upon a motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Michael A. Brown, Sr.	X		
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel		X	
Loretta Walsh		X	
Robert A. Williams	X		

President and Members of Council of
The City of Wilmington

March 16, 2015

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 15-008** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE
REGARDING PARKING OF COMMERCIAL VEHICLE AND B USES

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

Respectfully submitted, Members of
Public Safety Committee
/s/Michael A. Brown, Sr., Chair
/s/Ernest Congo, II
/s/Robert A. Williams
/s/Theopalis K. Gregory, Sr., Ex Officio

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

TREASURER'S REPORT

The following Treasurer's Report dated April 16, 2015 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 APRIL 16, 2015

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	\$ 5,493.73
106	Fire Pension Account	M & T Bank	\$ 8,663.75
107	Evidence/Found Currency Account	M & T Bank	\$ 14,434.06
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.00
113	Non-Uniform Pension	M & T Bank	\$ 1,431.94
114	Central Deposit	M & T Bank	\$ 192,638.13
117	Cement Workers	Wilmington Savings Fund	\$ 33,431.97
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,719.18
130	Payroll	M & T Bank	\$ 221,126.43
131	Pension Payroll Account	M & T Bank	\$ 38,689.14
139	Pension Healthcare Account	M & T Bank	\$ <u>2,020.91</u>
	Total Cash on Hand		\$ 539,756.25

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	04/16/15	0.01%	\$ 1.80	\$ 6,543,875.00
116	General	WSFS	CD	04/17/15	0.30%	\$ 1,573.15	\$ 2,200,000.00
116	General	WSFS	CD	04/27/15	0.30%	\$ 1,232.87	\$ 2,500,000.00
116	General	TD	CD	04/28/15	0.25%	\$ 1,117.81	\$ 1,700,000.00
124	Non-Uniform 1990	WSFS	CD	04/29/15	0.30%	\$ 103.56	\$ 420,000.00
110	Capital ²	TD	CD	04/30/15	0.25%	\$ 1,107.68	\$ 1,540,195.00
116	General	TD	CD	05/01/15	0.25%	\$ 863.02	\$ 2,000,000.00
116	General	TD	CD	05/15/15	0.25%	\$ 1,318.50	\$ 2,500,000.00
116	General	TD	CD	05/27/15	0.25%	\$ 719.18	\$ 1,500,000.00
116	General	TD	CD	05/29/15	0.25%	\$ 1,787.68	\$ 3,000,000.00
116	General	WSFS	CD	05/29/15	0.30%	\$ 3,345.21	\$ 5,500,000.00
116	General ¹	TD	CD	06/01/15	0.25%	\$ 9,351.79	\$ 15,003,965.00
116	General	WSFS	CD	06/10/15	0.30%	\$ 960.61	\$ 1,375,000.00
116	General	WSFS	CD	06/10/15	0.30%	\$ 960.61	\$ 1,375,000.00
116	General	TD	CD	06/12/15	0.25%	\$ 1,150.69	\$ 2,000,000.00
116	General	TD	CD	06/26/15	0.25%	\$ 1,610.96	\$ 2,400,000.00
110	Capital	WSFS	CD	06/29/15	0.30%	\$ 16,808.05	\$ 19,476,000.00
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					\$ 1,502,847.00
104	Escrow Pension	Vanguard					\$ 37,192,041.00
104	Escrow Pension	Black Rock					\$ 27,566,535.00
104	Escrow Pension	Edgar Lomax					\$ 22,180,970.00
104	Escrow Pension	Wilmington Trust					\$ 47,356,329.00
104	Escrow Pension	Manning & Napier					\$ 21,108,758.00
104	Escrow Pension	Earnest Partners					\$ 18,752,337.00
104	Escrow Pension	GMO					\$ 11,921,765.00
104	Escrow Pension	MFS Management					\$ 21,691,193.00
139	Medical Escrow	Black Rock-OPEB					\$ 13,048,872.00
116	Deferred Comp.	MassMutual					\$ 40,765,777.00
	Total Investments						\$ 342,681,098.48
	Total Cash on Hand						\$ 59,756.25
	Grand Total						\$ 343,220,854.73

¹ Budget Reserve

² SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Helen Isabel Blunt
All Council	Farewell Jeni Barton
Gregory	Sympathy Steven L. Hackett
Gregory	Sympathy Brenda Jackson Hickman
Gregory	Sympathy Edward Lee Dryden
Gregory	Sympathy Raekwon N. Mangrum
Gregory	Sympathy Willie Lee Word
Gregory	Recognize S. Renee Smith
Williams	Congratulate Salesianum High School - 2015 Delaware State Basketball Championship

**Note:* During 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. 15-015 (Agenda #4039) as follows:

WHEREAS, an Act to amend Title 14 of the Delaware General Code relating to charter schools is before the Delaware General Assembly; and

WHEREAS, House Bill No. 56 sponsored by State Representative Charles Potter, Jr. seeks to add a measure of local approval for charter schools placed within the City of Wilmington; and

WHEREAS, the bills are aligned with the resolution passed by this Council seeking a moratorium on charter schools being placed within the City of Wilmington until the State Board of Education has developed a strategic plan outlining a comprehensive and coordinated approach to improve the educational outcomes for Wilmington students; and

WHEREAS, in addition to requiring the local school board or Secretary of Education and the State Board of Education as the approval authority, the proposed legislation would require any charter seeking placement within the City of Wilmington, prior to approval, to forward its application to the Mayor and City Council for review and comment in regards to the impact within our communities and the City; and

WHEREAS, the legislation also requires in instances where the Department of Education is the approving authority for a charter school seeking placement within the City of Wilmington, that the local school board in which the charter will be located to also approve the application; and

WHEREAS, the proposed changes to the charter authorization process are aligned with the recommendations of the Wilmington Education Advisory Committee, this Council's Education, Youth and Families Committee and the Wilmington Education Think Tank, which seek to expand the role of the City in the education of our children through the establishment of the Wilmington Education Alliance and the Office of Education and Public Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports House Bill No. 56 and believes that it will have a significant and lasting impact on education within our City and State, and further encourages the members of the Delaware General Assembly to approve the legislation.

On the question:

Mr. Chukwuocha: Yes Mr. President, this is a Resolution we're sending to the General Assembly to ask them to support House Bill 56, which is being sponsored by State Representative Charles Potter and this House Bill truly advances not only the work of this Council and our efforts to have a moratorium placed on charter schools that want to be placed here in Wilmington and as an addition to that my agreeing with the Wilmington Education Advisory Council's recommendation that the State create a plan for the placement of charter schools and that will reserve their impact and measure their impact on communities and also the Boards in which they're found to be placed within the jurisdiction or the demographics of the Boards. It also allows for us as a city to have a role as we've tried before or create a role within the educational process of our children. So, a part of the approval process would be the City of Wilmington through the Mayor's Office as well as City Council for applicants who wish to place a charter within the City would have to - - there will be a role for us to play in that. And then lastly, there's also within the Bill for the charter schools that wished to be placed within the City will also have to get approved from the charter - from the school board in which they're wishing to be housed and all of these recommendations go right in line with what hoping and proposing for our Office of Education and Public Policy. So, I would hope that my colleagues would support this Resolution because this is truly (inaudible) forward the work that we're doing through our Education, Youth & Families Committee to advance the education for our children and truly improve the educational outcome for our city and communities. Thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I want to thank you as well as all the support sponsors on this for bringing this Resolution forward and I think it's something that's so very needed as well as it being a recommendation from the Wilmington Education Advisory Committee and only if this was ahead - - we had this before or an understanding since the continuing (inaudible) of charter schools in our district, I am now dealing with just this issue right now in one of my most adhesive neighborhoods. It's not that they're against it all - the charter schools but the quality of life that the school would have impact on that community. If only they had some say

ahead of time that we could have worked them to put it somewhere that wouldn't cost such an infraction on the quality life of the people that live there. So, I'm very much in support of this and pray that everyone also supports as well so another neighborhood does not have to go take their time in trying to keep their neighborhood in the way that it is and because we don't have the right – an authority to speak on what happens in our neighborhoods. Thank you.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. I think many of my colleagues have heard me talk about all the charters that are in the 3rd Council District over the last 20 plus years of Delaware Charter's experience particular in the City of Wilmington and even now as we think about where we are at this present time and look four blocks away what many of our corporate buildings have now become on French Street, Charter School Row, I think that we – this is a good piece of legislation for us to support and also look at how we can continue to support it as it goes through the legislative process in Dover so that it can be adopted and passed.

President Gregory: Yes, I got calls on it asking if this is anti-charter legislation or resolution and it is not. It is a pro Wilmington Resolution asking that with charters coming if they come that it be done in responsible and planned way. The Clerk will call the roll.

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, Williams, Freel, Michael Brown, Cabrera, Walsh and Wright, and Council President Gregory. Total, thirteen. Nay, none.

President Gregory: Declare it adopted. Mr. Congo.

Mr. Congo: Nothing tonight Mr. President. Thank you.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Nothing tonight. Thank you.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 15-001 (Agenda #4013) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE REGARDING THE DURATION OF THE WILMINGTON DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, ASSESSMENTS ON PROPERTIES LOCATED WITHIN THE WILMINGTON DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, AND THE ISSUANCE OF LICENSES TO DELINQUENT LICENSEES

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

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE REGARDING THE DURATION OF THE WILMINGTON DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, ASSESSMENTS ON PROPERTIES LOCATED WITHIN THE WILMINGTON DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, AND THE ISSUANCE OF LICENSES TO DELINQUENT LICENSEES

On the question:

Ms. Shabazz: Mr. President, I would like to make a motion for an amendment as follows: On Page 1, the last Whereas, which is the sixth Whereas clause to delete that entire section and under Section 3, Article VI Business Improvement District, Page 3 Section 44-153 to delete section (n).

President Gregory: Did you get that? Can you repeat it please?

Ms. Shabazz: Yes. The amendment is Page 1, the last Whereas, which is the sixth Whereas clause to delete that entire section and under Section 3, Article VI Business Improvement District, Page 3 Section 44-153 to delete section (n).

President Gregory: Can I get a second?

Mr. Michael Brown/Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that there be a motion to amend as presented. All those in favor so note by saying...On the question, Ms. Cabrera.

Ms. Cabrera: With the deletion of section (n), what does that mean if someone is delinquent? Are they still going to be required to pay or are they still going to make arrangements or would they just remain in delinquency?

Ms. Shabazz: I'm quite sure that they can could make arrangements but understand that we also - - currently the City does have the authority to - - authorized to

do and out of abundance of caution it would be that the City already has authority to do so.

Ms. Cabrera: Thank you.

President Gregory: Some Councilperson did not want to tie the legislation to that particular issue that has presented itself saying that there are other ways to accomplish it or put it in a separate piece of legislation that may come down the pipe. Mr. Brown.

Ms. Cabrera: Thank you.

Mr. Darius Brown: Yes, thank you Mr. President. Regarding the extension time from its enactment in 99 to extended in 2009 and then the extension to 2013, within this Ordinance it would we're adding an additional five (5) years to 2024?

Ms. Shabazz: That's correct. This would extend it out so that there's a ten (10) year period of existence, which would assistance the organization or to be able to do various things that are necessary to its continue growth and development.

President Gregory: Just a minute, let me do this. I'm out of order. I'm out of order - - I'm going to come back to you. Can I get a - - is there any more discussion on the amendment not the ordinance? I'ma come back to you.

Mr. Darius Brown: Okay.

President Gregory: Thank you. Ok, it's been - - we're going to vote on the amendment now. All those in favor so note by saying "Aye", Opposed, Abstentions. Ayes have it. Now we go back to the Ordinance for discussion. It's your Ordinance, you want to speak?

Ms. Shabazz: Yes please.

President Gregory: Go ahead.

Ms. Shabazz: Okay. This Ordinance is asking the City Council who initially granted the existence of the improvement district for a ten year period. They're asking for the extension of an additional five (5) years that would take it out to 2019. It presently has five (5) years left on its current existence and this would allow them to be able to be able to do some of the other things that are necessary as it continues to grow for servicing the City of Wilmington. The extension of the five (5) years would expire October 2024. The - - the - also, the Ordinance also with (inaudible) have added the part that many assessed properties have gone before the Assessment Board for review and this additional - - parts and new parts inside the Ordinance would indicate that the - - once a final decision is made on that appeal that it's not retroactive. That they would just be reassessed from the time the appeal is approved and would not go back. Sometimes the

appeal can take two (2) or three (3) years and we wanted to ensure that the assessment - - if there is a change that they do not have to - - about a credit or any interest on the assessment that was paid. That the assessment renewed assessment rate would be just in effect from the time of its approval.

President Gregory: Mr. Brown.

Mr. Darius Brown: So, I think you answer the reason for the five (5) year extension.

Ms. Shabazz: Right.

Mr. Darius Brown: As a follow-up, so if a business is assessed and the amount of money they put in and after the assessment should be less they would not receive the difference just from the date moving forward. They would be assessed at that lower rate?

Ms. Shabazz: They would be assessed at the lower rate effective from the time of the reassessment because it could take two (2) or three (3) years before the assessment has been approved and they have paid assessment and it would be - for them to - - it would be made a hardship for the group to encumber that money and have to go back and pay the difference of the assessment. So, we're asking that it's retroactive per the date it goes forward and not be getting - receive a credit or interest on the assessment that was received.

President Gregory: Ms. Walsh.

Ms. Walsh: Until you just explained it I wasn't getting the whole picture. So, is the Law Department now saying that the way it presently stands, if somebody did an appeal and it took three (3) or four (4) years to come to the conclusion or if there was a discovery even that perhaps they had been reassessed incorrectly because of the fault of a government, than as of today, they would have to go back to when the appeal was filed. Is that correct?

Ms. Shabazz: No. They would go from the date the appeal was approved.

Ms. Walsh: That's what this does.

Ms. Shabazz: This, this makes it - - yes, so that it would....

Ms. Walsh: But the way it presently reads it would go back to the day it was filed.

Ms. Shabazz: It's a possibility - - yes.

Ms. Walsh: So, the City is saying that if fault is found currently I'm talking about before this law is passed, that currently they have to pay somebody who filed something two (2) or three (3) years ago or discovered an error in the way the assessment was done, that currently we would have to pay that?

Ms. Shabazz: That we would have to credit them the reduced assessment rate for those three (3) years during the time they filed the appeal. Yes.

Ms. Walsh: Can I ask the attorney something Mr. President?

President Gregory: Absolutely.

Ms. Walsh: So, this is just for the business improvement districts this piece of legislation?

Ms. Shabazz: That's correct.

Ms. Walsh: But the - - and you had to approve this, so does that mean that currently that scenario that I just gave of the City of maybe owing somebody for three (3) or four (4) years of errors, is currently the way businesses run now?

Mr. Sanjay Bhatnagar: Councilwoman, to my understanding there is - - there could be a refund but no cash out lays are given...

Ms. Walsh: But a credit.

Mr. Bhatnagar: Yeah.

Ms. Walsh: A credit could be given.

Ms. Shabazz: Can I add clarification? Maybe I can help you.

Ms. Walsh: Okay, sure.

Ms. Shabazz: This is for Downtown Visions. This is not for the City. This is for the Wilmington Improve - - Downtown Business Improvement District.

Ms. Walsh: Right. That's what I just said to him.

Ms. Shabazz: Okay.

Ms. Walsh: I said this is for Downtown Visions but my question...

Mr. Bhatnagar: ... for a normal residential property owner?

Ms. Walsh: Right.

Ms. Shabazz: It's not for resident.

Ms. Walsh: No, thank you. You just actually proved something I've been trying to get out of the Administration for over a year now. So, thank you.

Ms. Shabazz: You're welcome.

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

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

President Gregory: Declare it adopted.

Ms. Shabazz: Thank you.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 15-016 (Agenda #4040) entitled:

AN ORDINANCE TO EXTEND AND RESCIND 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, the aforementioned Ordinance was received, recorded, and referred to the Public Works & Transportation Committee. Motion prevailed.

President Gregory: Mr. Prado.

Mr. Prado: Nothing tonight Mr. President. Thank you.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: No legislative business tonight Mr. President. Thank you.

President Gregory: Thank you. Mr. Williams.

Mr. Williams: Thank you sir, no legislative business this evening.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, I have two Ordinances for first and second reading.

Mr. Freel presented and called for the first and second reading Ordinance No. 15-017 (Agenda #4041) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE BY AMENDING ORDINANCE NO. 14-006 IN ORDER TO AUTHORIZE THE CITY TREASURER ACCESS TO THE BUDGET RESERVE ACCOUNT FUNDS AT THE END OF A FISCAL YEAR AND REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL YEAR FOR FISCAL YEAR 2015

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 Ordinance.

Mr. Freel presented and called for the first and second reading Ordinance No. 15-018 (Agenda #4042) entitled:

AN ORDINANCE PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY OF WILMINGTON TO THE PAYMENT OF GUARANTEED PARKING REVENUE BONDS OF THE WILMINGTON PARKING AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000; DETERMINING THAT THE CITY'S ASSISTANCE IN FINANCING A REFUNDING PROGRAM OF SAID AUTHORITY IS IN THE PUBLIC INTEREST OF THE CITY; 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, thank you sir.

President Gregory: Thank you. Mr. Brown. Michael Brown.

Mr. Michael Brown: Yes Mr. President, I have two. I have one third and final and the other is a Resolution.

Mr. Michael Brown presented and called for the third and final reading Ordinance No. 15-008 (Agenda #4029) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE REGARDING PARKING OF COMMERCIAL
VEHICLES AND BUSES

On the question:

Mr. Michael Brown: Yes Mr. President and to my colleagues, this is a review and if approved Council would be authorizing an amendment of Chapter 37 of the Wilmington City Code related to the parking of tractor trailers buses and buses within the City. This legislation imposes an outright prohibiting against the parking of any commercial and recreational vehicle that is 11,000 pounds or more or 20 feet in length or more unless the vehicle actually being loaded or unloaded or unless the driver has a lawful street storage permit issued by the Department of Licenses and Inspections. This – the Ordinance would also prohibit the parking of any boat regardless of its weight or dimension. A new prohibiting also pertains to all trailer coaches, semi-trailers and trailers – tractor trailers regardless of size or purpose. Violators of this Ordinance will be subject to a civil penalty as well as the immobilization or towing of their vehicle according to procedures set forth in the current law. The new law would be enforced by any Parking Revenue Enforcement Office, better known as PREOs or the Wilmington Police Officer.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I just for clarity, so, if let's say for example The Grand Opera House, the theater, The DuPont Theater or the theater at Rodney Square, when they have their buses, their tour buses – coaches, they're parked by the hotel, they drop, they unload, these folks would have a permit – I imagine they already have a permit now or they would need to obtain a permit because many of those coaches stay overnight while the artist are overnight in our town. So, how would that work with an entity like The Grand Opera House as I was asked?

Mr. Michael Brown: They would have to get a special permit. Come up to the City/County Building and go to the Revenue Office. It's just like - - it's just like having someone visiting from out of town. You - and, and, and, they don't have a - one of those residential stickers, they get a - they can get up to - folks coming from out of town visiting can get up to a week at a time permit and, so they would have to go to the window - have to come up to up town to Finances to get a special permit.

Ms. Shabazz: Online.

Mr. Michael Brown: Or online.

Ms. Cabrera: Ok, if I can - may I continue?

President Gregory: Go ahead.

Ms. Cabrera: Is there going to be a fee associated with this permit?

Mr. Michael Brown: No.

Ms. Cabrera: All right. So, basically if they know they're coming into - I mean is it going to be attached to license plate or is it - can the entity itself....

Mr. Michael Brown: It would have a - some sort of plaque that would be - that would be stored in their dashed.

Ms. Cabrera: Ok, I'm just -

Mr. Michael Brown: It's like your car parked around the corner. You have a plaque stack.

Ms. Cabrera: So, this is something we would provide to entities like The Grand Opera House that they would have to give to when there's artist come into town or is this something they have to apply for a head of time get license plate numbers etc?

Mr. Michael Brown: I'm quite sure if they came up and told the - - called up or went online, they would be able to pull it up and because they know that's an operational place that has those types of entertainments that they would get the permit right away.

Ms. Cabrera: Ok and I only ask these questions because...

Mr. Michael Brown: I understand.

Ms. Cabrera: ...it would affect an entity like that. Believe me I'm for this because you know, when I lived in the 1st District we had a tractor trailer parking right by

Riverview Cemetery on a regular basis and what people need to understand that the infrastructure of the City, the wear and tear that the weight of these vehicles put on our infrastructure is something that these streets cannot handle. Just like we have “No Parking - - “No Drive thru Traffic for Trucks” but they still take shortcuts through neighborhoods and this is important. People need to understand that...

Mr. Michael Brown: I agree with that.

Ms. Cabrera: ... we have an excess of that going on right now.

Mr. Michael Brown: I appreciate it that and also please be advise that we – if passed by Council, if passed by Council, we’re going to have entrances - - signs put in on the entrance coming off 95 and 495 warning – informing them of no overnight parking with these vehicles.

Ms. Cabrera: Thank you Councilman.

President Gregory: Thank you. Mr. Wright.

Mr. Wright: Thank you Mr. Chair, I mean Mr. President. Level 18 is what type of fine and Level 20 is what type of fine? I didn’t see that listed.

Mr. Michael Brown: First fine would be - - first fine would be \$200 – please forgive because I did know it but I was out two weeks ago when we were supposed to do this and I really didn’t study this again but my apologies.

President Gregory: You got the answer?

Mr. Bhatnagar: I don’t know.

Mr. Michael Brown: Two hundred and twenty dollars. Yes.

Mr. Wright: The second goes up to what?

Mr. Michael Brown: The second one is - - \$240.

Mr. Wright: All right, thank you.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Just real quickly, I’ve been asked by residents, in all these storage permits they have to get that through L&I, do we know how much that would cost?

Mr. Michael Brown: I don't know. We voted on that some time ago. So, I don't know what the storage is for those trailers that have to get permits from Licenses and Inspections.

Mr. Williams: Thank you. If we can make that public as soon as possible as soon as it becomes available and finally, my district has been havoc, wreaking havoc with these vehicles, leaking oil, staying overnight, staying for extended durations. It's just driving the community crazy to see a dump truck with a trailer or with back (inaudible) that's been sitting idle for weeks upon weeks. If they're smart enough to move it during the evening when they're subject to a fine, they come right back the next day. So, I'm highly in support of this. Thank you.

President Gregory: Mr. Prado.

Mr. Prado: Thank you Mr. President. Just to comment, I'll be supporting this and like Mr. Williams, the 5th District also has seen its share of this. I'm frustrated that it comes - - that it gets to this point where we have to create laws like this because this is just common decency. You know, if people would show some respect for their neighbors, why somebody who for example works for prominent HVAC Company would bring that truck home and park on a City street is - - it's that type of behavior that causes the resentment and the need for this, you know, parking such large vehicles and then we also have these trucks, these tractor trailers underneath 95 on 3rd Street; over by the Cool Springs Park, always park there. I mean, this is constant and that's why I think this legislation is something that I can definitely support and we need it because people are just inconsiderate. Thank you Mr. President.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I too am in support of this legislation and I'd like to be co-sponsor please because the 6th District is - - has seen its share of overnight stays. Stay too long overnight guest with these vehicles that should not be in the district.

Mr. Michael Brown: Thank you.

President Gregory: Thank you. Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I'm grateful to have this come to the floor. I hope my colleagues will support it. As mentioned by my colleague Councilwoman Cabrera, it has definitely been an issue within the 1st District. I mean an ongoing issue; it would come; it would peek and valley and come right back but it has been very constant. So, this is definitely something that has impacted the quality of life within the 1st District from the tractor trailers to the school buses. I mean up and down 30th Street going all the way to Miller Road and the parking lot. On Market Street, we had our streetscape project, which was completed by the 1st District NPC, our trees, our

curbs, all along the cemetery walls messed up by a tractor trailer truck. So, this is truly a piece of legislation that we've been working on and hopefully this legislation and having a clearly simple plan expressed that the not only the Wilmington Police Officers but also the PREOs be able to ticket because that was also a constant back and forth about who could and how many times they were ticketed. So, this would - - this would just wipe away all disputes about it and provide clarity. So, I hope that my colleagues would support this, this evening.

President Gregory: Thank you. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, I have two questions. One, would limousine fall under this as well?

Mr. Michael Brown: No.

Ms. Shabazz: Limousine would not, okay. The second question is, I was asked by some of the health agencies within the district and throughout the City, you have the mammogram truck, you have St. Francis has a medical that goes around, those would not fall under this?

Mr. Michael Brown: Excluded.

Ms. Shabazz: They're excluded, okay. And, also most of the time, some of time they're on private property but if they are on a City street, would they be excluded from this?

Mr. Michael Brown: Excluded.

Ms. Shabazz: Thank you Mr. President.

Mr. Michael Brown: You're talking about St. Francis...

Ms. Shabazz: St. Francis, the mammogram...

Mr. Michael Brown: Excluded.

Ms. Shabazz: Yes, okay.

Ms. Walsh: Mr. President.

President Gregory: And in what theory is it excluded, I don't - because of its size?

Mr. Michael Brown: Because of its size but they'll be - - the reason why it's excluded it is considered an emergency appara - a piece of apparatus...

President Gregory: Okay.

Mr. Michael Brown: ...providing services in the community.

Ms. Shabazz: it's considered emergency...like the mammogram comes and schedules people to come...

Mr. Michael Brown: Right.

Ms. Shabazz: Okay, that's fine. I just wanted clarity because that was asked of me.

President Gregory: Would they get a permit or...

Mr. Michael Brown: They get a permit and they exclude them...

President Gregory: Right.

Mr. Michael Brown: They get a permit and they exclude them. They have to get a permit.

Ms. Shabazz: Okay.

President Gregory: But they're not excluded, they have to get a permit.

Mr. Michael Brown: Correct. They have to get a permit.

Ms. Shabazz: So...okay.

President Gregory: They have to get a permit.

Ms. Shabazz: Okay.

President Gregory: I'm sorry, were you finished Ms. Shabazz?

Ms. Shabazz: That was it, yes sir.

Mr. Michael Brown: I apologize Ms.

President Gregory: Ms. Walsh.

Ms. Walsh: Thank you Mr. President. I think the district and Maria At-Large, touched on a lot of this because they are – they're almost in every single district now. Because we are so accessible out of I-95 too but I think it's fair to point that for the truckers themselves, within a very relative short amount of time, we have a restaurant stop on I-95 down in the Newark area and then we have one right above Marsh Road because we don't want truckers on the streets that are overly tired and things like that because that just present another kind of danger. But, it's just not the trucks in the neighborhood are taking up two and three parking spaces most times for some very challenged neighborhoods too, for the residents to try and find parking spaces but many times it's the trash that they're leaving behind also. So, they're not being good stewards at all and I'd like to be added to this too Mr. Brown please.

Mr. Michael Brown: Thank you very much.

President Gregory: Excuse me, can you me where the one is at Marsh Road?

Ms. Walsh: Above.

President Gregory: Whereabouts, I don't know.

Ms. Walsh: Oh I'm sorry, above Naamans Road. Where they (inaudible)

President Gregory: Naamans Road not Marsh Road.

Ms. Walsh: Naamans Road I meant, yeah.

President Gregory: Okay, all right. Thank you. Because that addresses concerns that I had....

Ms. Walsh: Inaudible.

President Gregory: ...but if you have the Hot Shops is what I call it from being a kid and the one in Naamans Road than that addresses my concern. I'm 100% in favor of the legislation but when you talk about reentry and you getting people jobs where it's challenged because of education, a CDL license and the ability to drive a truck and get employment is important to me. I know many of the drivers come out of Pennsylvania and out of Maryland. So, they need to find a place to park. But, I knew about the one the Hot Shops, that's what I call it, the rest stop but I didn't know about Naamans Road so it seems that there's ample space.

Ms. Walsh: (inaudible) on the Delaware line on the right hand side.

President Gregory: Ok, I thank you very much. I didn't know about that one.

Ms. Walsh: Mr. President, is there also one Terminal Avenue? There's a parking for trucks on Terminal Avenue?

President Gregory: I'm not sure about that. We looked into that to try to make it available but that's fine. I have everybody's name. Everybody that needs to speak, I have you in order. I'm going to call on you accordingly. Okay? Councilman Congo.

Mr. Congo: Yes, thank you. Are there - - do we know the qualifications for getting a permit?

Mr. Michael Brown: Getting the permit?

Mr. Congo: Yes.

Mr. Michael Brown: For overnight?

Mr. Congo: Yeah. I guess my concern is will be people be able to just keep reapplying for permits or if they come in on the weekends and L&I Department isn't open, what will they have to do?

Mr. Michael Brown: Well, they have to go up to the rest stop. The shop, whatever that stop is that they go on 95 or they just mentioned off Naamans Road.

President Gregory: I'm glad to hear that there's one on Naamans Road but go ahead.

Mr. Congo: If a trucker comes in on the weekend and they can't get a permit because the department is closed, what will happen? They would get ticket?

Mr. Michael Brown: They wouldn't be able to park there. They would have to go to the truck stop - - the rest stop up on Naamans Road...

President Gregory: Or a rest stop ...

Mr. Michael Brown: ...or rest stop off 95.

Mr. Congo: Okay and people would just - - will they be able to keep reapplying for permits or how would that be controlled?

Mr. Michael Brown: Yes, every time they do - - every time they need to come and do that they have to go and apply.

Mr. Congo: Okay, all right. Thank you.

President Gregory: Thank you. You, you, you done? Okay, I'm going to scratch you. Mr. Brown. Mr. Darius Brown.

Mr. Congo: I'm sorry Mr. President I just have one more question.

President Gregory: You have one more?

Mr. Congo: Okay, yes. So, so a person would be able to still park on the street as long as they have a permit?

Mr. Michael Brown: If they are - - if we're talking about as mentioned the Hotel Dupont Theatre and entertainers getting off and on those buses but heavy vehicles cannot stay overnight on any City street in the City of Wilmington under no circumstances.

Mr. Congo: So, they wouldn't be given a permit?

Mr. Michael Brown: No.

Mr. Congo: Okay, all right.

Mr. Michael Brown: Not for overnight.

Mr. Congo: All right, thanks.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. I think it's a difficult issue around employment particularly in my district. There's many individuals are truck drivers; many of them, it has been my experience over these years, that they bring their trucks home and they may park them in industrial areas or commercially zone area or an area that's not too many blocks away from their home. Because at least in the 3rd District there's a lot of mix between residential and commercial areas and so if that, initially with the introduction of the Bill I wanted to be very mindful of residents that were employed that were truck drivers and them parking their trucks, you know, a block or two away from their home. I think another good tool that this legislation provides is for many of the auto company or businesses along Governor Printz and other areas like that, that may utilize public streets for storage of their (inaudible) and things of that sort and becomes very difficult for PREO's after hours to ticket them or to move them. So, with this legislation hopefully, not only the ticket part but also we can encourage the tow part of those - - those apparatuses. And, then thirdly, this past week because I knew this was coming up, there was an incident in the 3rd District around a religious congregation and an individual that was going to attend that meeting and they were driving a tractor trailer. One that I would say probably took about three or four regular car parking spaces. We wouldn't have a great amount of issue with it until another individual driving one, didn't

have the back on it but got out the car and as one of the residents in the neighborhood were talking to me about the issue, in my opinion was disrespectful to the resident, you know, saying that you know it's a public street I can park here, I'm going to do about what I'm going to do and I'll be back. And, that was an incident that I got to experience but I'm sure there's many incidents like that in the City of Wilmington where residents of the City are trying to negotiate, trying to resolve these issues but don't necessarily have any – any leverage in resolving them. So, I think this legislation will provide that for them and hopefully Wilmington PD will be enacting on this. It's good legislation but we still need Wilmington PD to enact on it after City business hours.

President Gregory: Mr. Williams. You forgot.

Mr. Williams: I'm good.

President Gregory: And you're good. Did I miss anyone? Mr. Prado.

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

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

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams/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: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera, Walsh and Wright and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Mr. Michael Brown: Thank you very much Mr. President. I have a Resolution to present.

Mr. Michael Brown presented Resolution No. 15-016 (Agenda #4043) as follows:

WHEREAS, the City of Wilmington has suffered from an alarming amount of violent crime in recent years, which has resulted in lost lives, fractured families, fearful neighborhoods, concerned businesses and a harmful image or perception of Wilmington both locally and nationally; and

WHEREAS, a healthy, vibrant Wilmington is in the best interests of every Delawarean, as the well-being of our State is tied directly to the fate of Delaware's largest city; and

WHEREAS, in an effort to reduce violent crime in Wilmington, Governor Jack Markell and the Delaware General Assembly formed what is known as the "Wilmington Public Safety Strategies Commission"; and

WHEREAS, created in January 2015, the Commission was charged with reviewing Wilmington crime data; examining deployment strategies of Wilmington Police Department; exploring successful strategies used to reduce violence in other cities; studying the development of police districts in Wilmington; looking at funding levels for public safety and obtaining input from community and business leaders; and

WHEREAS, on March 31, 2015, at Bayard Middle School, the Wilmington Public Safety Strategies Commission issued a report to the public containing its findings and recommendations; and

WHEREAS, the recommendations can serve as tools to improve the management of the Police Department as well as community and police relations in Wilmington, and are of value to both the executive and legislative branches of City government; and

WHEREAS, the Commission's suggested action steps could lead to recapturing neighborhoods for law abiding citizens to enjoy and to restoring confidence within the business community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that this Council hereby supports the findings and recommendations of the Wilmington Public Safety Strategies Commission to deploy resources more efficiently and effectively, improve relationships in the community, increase accountability, improve morale within the police department, enhance investigatory capacity of the department, and to otherwise reduce violence. The Council further requests that the Commission continue working with the City to help prioritize and support the implementation of the Commission's recommendations.

On the question:

Mr. Michael Brown: Yes Mr. President, as you – as we all know that the study was done and this Resolution is in support of that study and it speaks for itself.

President Gregory: The Clerk will call the roll. I'm sorry... nobody put their hand up while he was talking. Clerk call the roll.

Mr. Wright: I didn't think you (inaudible)....

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

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation, thanks.

President Gregory: Mr. Wright.

Mr. Wright: Nothing.

PETITIONS AND COMMUNICATIONS

Council Members announced committee meetings, civic association meetings, Neighborhood Planning Council meetings and community events throughout their districts. It was requested to the Chair of the Public Safety Committee to reach out to the Police Department to have some dialogue around the Report that was given to members of Council. Council Members spoke on the following matters: incident in the Cool Springs neighborhood and the need to address all types of crimes in the City of Wilmington; the need to follow-up with the Center for Disease Control and Prevention to provide the presentation of its findings to the full body of Council and the community; individuals were thanked for their participation and support of the Judy Johnson Park dedication; the need to practice personal safety and more specifically the need to discuss safety issues around 4-wheel vehicles and 2-wheel vehicle (dirt bikes); Happy Anniversary was expressed to Angelo's Luncheonette at the corner of Gilpin & North Scott Street who has been at that same location for 48 years; concerns were expressed of the break-ins of the concession stand of the Wilmington Little League at 18th & Broom Street and the need of more police attention in that area as that concession stand has been broken into three (3) times; demonstrating support to the Wilmington Blue Rocks; the need to support the merchants/businesses in the City of Wilmington; comments around the summer youth employees' work ethic and maintenance workers in the Department of Parks and Recreation; the issues of the back and forth dates of trash collection has been addressed; the misinterpretation of comments made; and including but not limited to it was noted that saying something after the fact isn't always affective as during.

ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel/Ms. Shabazz, Council adjourned at 7:52. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk