

*Wilmington, Delaware
Louis L. Redding
City/County Building
July 2, 2018*

Council met in regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Sylvia Lewis-Harris, Administrative Legislative Aide.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon* and Guy, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Chukwuocha and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of June 21, 2018, Council Member Freel made a correction to the minutes for which the Ordinance assigned to agenda item 4547 was incorrect and should be Ordinance No. 18-039. Upon a motion of Council Member Freel, seconded by Council Members Williams and McCoy, it was moved the minutes be accepted as corrected and as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Nnamdi O. Chukwuocha, Vice-Chair	X		
Ciro Adams	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Robert A. Williams	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 28, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-035** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY
CODE REGARDING DIRECT DEPOSIT

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

Respectfully submitted, Members of
Finance & Economic Development Committee
/s/Charles M. Freel, Chair
/s/Nnamdi O. Chukwuocha, Vice-Chair
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

Upon a motion of Council Member Freel, seconded by Council Member Williams, the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report as of July 2, 2018, was read into the record by City Clerk and upon a motion of Council Member Freel, seconded by Council Members Williams and Turner, the Report was received, recorded and filed. Motion prevailed.

President Shabazz: Councilman Guy.

Council Member Guy: Can we get the update on the capital funds?

Mrs. Seijo (City Clerk): Sub-total for capital fund, twenty-eight million, three-hundred sixty-three thousand, two-hundred ninety-seven dollars and forty-three cents.

Note: The Treasurer's Report is included herein as an insert from Page 3 to Page 4.

City of Wilmington Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2480
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report as of July 2, 2018

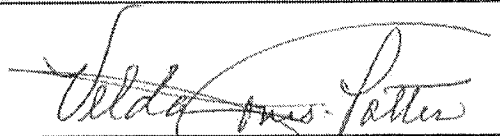
Cash on Hand:

General Account	M & T Bank	\$9,443,164.27
Central Deposit	M & T Bank	\$89,826.39
Payroll	M & T Bank	\$405,854.63
Total Petty Cash Accounts	M & T Bank	\$11,693.30
Grant-In-Aid	M & T Bank	\$231,734.67
Evidence/Found Currency Account	M & T Bank	\$913,567.27
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,576.67
Police Department Discretionary	M & T Bank	\$22,767.87
Pension Payroll Account	M & T Bank	\$403,439.49
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$2.30
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$29,126.85
Police Pension Account	M & T Bank	\$3,282.08
Fire Pension Account	M & T Bank	\$6,160.59
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$350,388.56
SubTotal		\$11,975,316.72
Total Cash on Hand		\$11,975,316.72

INVESTMENTS JULY 2, 2018:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	WSFS	CD	7/5/2018	1.75%	\$8,455.36	\$2,519,352.84
General	WSFS	CD	7/12/2018	1.82%	\$10,620.82	\$3,000,000.00
General	TD	CD	7/12/2018	1.71%	\$4,679.63	\$2,010,581.45
General	WSFS	CD	7/19/2018	1.82%	\$11,667.95	\$3,000,000.00
General	TD	CD	7/26/2018	1.87%	\$3,642.19	\$2,504,180.55
General	TD	CD	8/2/2018	1.87%	\$4,559.55	\$2,507,929.17
General ¹	TD	CD	9/27/2018	2.01%	\$78,837.37	\$15,689,029.00
SUB-TOTAL:						\$31,231,073.01
CAPITAL FUND:						
Capital	TD	CD	7/26/2018	1.86%	\$124,100.49	\$26,395,000.00
Capital	WSFS	CD	7/5/2018	1.75%	\$3,340.71	\$1,968,297.43
SUB-TOTAL:						\$28,363,297.43
RISK MGMT:						
Risk Management	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Worker's Comp	WSFS	CD	7/11/2018	1.25%	\$98,995.64	\$7,919,651.00
Retiree Medical Escrow	Vanguard-OPEB					\$19,612,826.00
SUB-TOTAL:						\$35,452,128.00
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	7/26/2018	1.85%	\$7,379.73	\$5,200,000.00
Fire Pension	WSFS	CD	7/26/2018	1.85%	\$3,817.59	\$2,690,000.00
Police Pension	WSFS	CD	7/26/2018	1.85%	\$759.26	\$535,000.00
Escrow Pension	Edgar Lomax					\$20,663,769.00
Escrow Pension	Vanguard Fixed					\$38,744,430.00
Escrow Pension	Earnest Partners					\$23,021,909.00
Escrow Pension	Wilmington Trust					\$37,909,178.00
Escrow Pension	Vanguard Stock Index					\$45,144,908.00
Escrow Pension	Artisan Global					\$8,380,722.00
Escrow Pension	Dodge & Cox					\$10,858,024.00
Escrow Pension	Fidelity					\$19,324,047.00
Escrow Pension	Harding Loevner					\$8,517,211.00
Escrow Pension	MFS Management					\$21,487,340.00
SUB-TOTAL:						\$242,476,538.00
OTHER:						
Deferred Comp.	MassMutual					\$47,941,848.54
Total Investments						\$385,464,884.98
Total Cash on Hand						\$11,975,316.72
Grand Total						\$397,440,201.70

¹ Budget Reserve


 Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Freel, seconded by Council Members Turner and Williams, the following non-legislative resolutions were accepted into the record and motion prevailed:

Harlee	Sympathy Love Congo
Oliver	Sympathy Keith Williams
Shabazz	Recognize 10 th Anniversary of Dance4Life School
Shabazz	Recognize Hope Commission 3 rd Annual Commencement Ceremony
Turner	Recognize D'Angelo Lewis-Harris

LEGISLATIVE BUSINESS

President Shabazz: Ordinance No. 18-035, agenda #4555 will be held and, we move on to Councilman Congo.

Council Member Congo: Nothing tonight Madam President thank you.

President Shabazz: Council Member Oliver.

Council Member Oliver: Nothing tonight Madam President thank you.

President Shabazz: Council Member Harlee.

Council Member Harlee: Ah yes Council President, I have a Resolution and Ordinance to read tonight.

Mrs. Seijo (City Clerk): Dissolve into the Committee of the Whole.
Public hearing – you have to dissolve – dissolved into the Committee of the Whole.

President Shabazz: You have to say that.

Mrs. Seijo (City Clerk): There's a script.

Council Member Harlee: Madam President, I have a Resolution to present.

Mrs. Seijo (City Clerk): A motion to dissolve into the Committee of the Whole.

Council Member Harlee: I make a motion to dissolve into the Committee of the Whole.

Council Member Freel: Second.

Upon a motion of Council Member Harlee, seconded by Council Member Freel, Council dissolved into the Committee of the Whole for the purpose of having two public hearings. Motion prevailed.

PUBLIC HEARING

AMENDMENTS TO THE NEIGHBORHOOD COMPREHENSIVE DEVELOPMENT PLAN FOR THE EAST SIDE ANALYSIS AREA AND REZONING OF TWO BLOCKS (SEVEN PARCELS OF LAND LOCATED IN DOWNTOWN WILMINGTON WITHIN THE AREA BOUNDED BY FRONT, WALNUT, SECOND, AND LOMBARD STREETS FROM C-2 (SECONDARY BUSINESS CENTERS) TO C-3 (CENTRAL RETAIL) ZONING CLASSIFICATIONS (ORD. 18-019)

President Shabazz: Will the Clerk please read both Affidavits of Publication.

The City Clerk read both Affidavits of Publications into one reading as these items are companion pieces. Upon a motion of Council Member Harlee, seconded by Council Member Freel, the Affidavits of Publications were made a part of the record. Motion prevailed.

Note: The Affidavits of Publications was added into the record and is attached herein as an insert from Page 7 through Page 10.

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The News Journal
Media Group

A GANNETT COMPANY

Street Address:
950 West Basin Road
New Castle, DE 19720

(302) 324-2500
(800) 235-9100

Mailing Address:
P.O. Box 15505
Wilmington, DE 19850

Legal Desk:
(302) 324-2676
Legal Fax:
302 324-2249

SD CITY OF WILMINGTON
800 N FRENCH ST

WILMINGTON, DE 19801

DE,

AFFIDAVIT OF PUBLICATION

State of Delaware

New Castle County

Personally appeared **The News Journal**

Of the **The News Journal Media Group**, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

05/10/18 A.D 2018

Sworn and subscribed before me, this 10 day of May,
2018

Ad Number: 0002908192

Legal notification printed at larger size for affidavit.



NOTICE IS HEREBY GIVEN that a public hearing to consider the proposed amendments to the "East Side Neighborhood Comprehensive Development Plan" to be held by the Wilmington City Council in the Council Chambers on July 2, 2018 at 6:30 p.m. pursuant to Resolution No. 18-033.

Maribel Seijo City Clerk

5/10

0002908192-01



The News Journal
Media Group

A GANNETT COMPANY

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950 West Basin Road
New Castle, DE 19720

(302) 324-2500
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Mailing Address:
P.O. Box 15505
Wilmington, DE 19850

Legal Desk:
(302) 324-2676
Legal Fax:
302 324-2249

SD CITY OF WILMINGTON
800 N FRENCH ST

WILMINGTON, DE 19801

DE,

AFFIDAVIT OF PUBLICATION

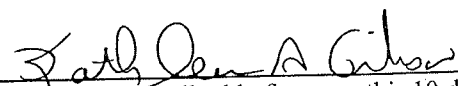
State of Delaware

New Castle County

Personally appeared **The News Journal**

Of the **The News Journal Media Group**, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

05/10/18 A.D 2018


Sworn and subscribed before me, this 10 day of May,
2018

Ad Number: 0002908212

Legal notification printed at larger size for affidavit.



Notice of time and place of a public hearing before City Council of the City of Wilmington on Ordinance No. 18-019, which proposes to amend Chapter 48 of the Wilmington City Code of the City of Wilmington.

Please take notice that a public hearing will be held in the Council Chambers, 1st floor, City/County Building, 800 French Street, Wilmington, Delaware on July 2, 2018 at 6:30 p.m. before City Council of the City of Wilmington, sitting as a Committee of the Whole, for the purpose of considering Ordinance No. 18-019 entitled:

AN ORDINANCE TO REZONE TWO BLOCKS (SEVEN PARCELS) OF LAND LOCATED IN DOWNTOWN WILMINGTON WITHIN THE AREA BOUNDED BY FRONT, WALNUT, SECOND, AND LOMBARD STREET FROM C-2 (SECONDARY BUSINESS CENTERS) TO C-3 (CENTRAL RETAIL) ZONING CLASSIFICATIONS

Ordinance No. 18-019 was introduced in City Council at a regular meeting held on April 19, 2018 and received 1st & 2nd readings at that time. Resolution No. 18-034 was adopted by City Council at the meeting of City Council held on May 3, 2018 directing that a public hearing on same be held by City Council on July 2, 2018 at 6:30 p.m. in the Council Chambers and directed that the President of City Council and the City Clerk of the City of Wilmington give public notice of the said hearing in the manner and form required by the Zoning Enabling Act and that ordinance.

Ordinance No. 18-019 proposed to amend the existing zoning ordinance of the City and its accompanying map.

This notice is given pursuant to the provisions of Sec. 48-51 of the Wilmington City Code providing that the zoning ordinance may be amended after a public hearing is held, at which time interested property owners and citizens may have an opportunity to be heard in favor of or in opposition to the proposed amendment.

The text, map, and report of the City Planning Commission related to this proposed amendment may be examined in the City Clerk's Office, 9th floor, City/County Building from 8:30 a.m. to 4:30 p.m. Except Saturday, Sunday, and Holidays.

By direction of City Council HANIFA SHABAZZ, President

City Clerk MARIBEL SEJO
517.611

President Shabazz: The Clerk will read the Planning Commission Report.

The City Clerk read the Planning Commission Report. Upon a motion of Council Member Harlee, seconded by Council Member Williams, the Planning Commission Report was made a part of the record. Motion prevailed. The Planning Commission's Report constituting the recommendations to City Council are further reflected in the videotape of the July 2, 2018 City Council meeting and public hearing, which is incorporated herein by reference.

Ms. Gemma Tierney (Planner with the Department of Planning and Development) did a Power Point presentation. Several members of Council raised questions.

*Note: During this time, Council Member Dixon was marked presented and is reflected in the minutes herein (Roll Call).

The floor was opened for anyone from the public to speak for or against the proposed rezoning.

Upon a motion of Council Member Harlee, seconded by Council Member Freel, Council returned to Regular Order of Business. Motion prevailed.

REGULAR ORDER OF BUSINESS

Council Member Harlee presented Resolution No. 18-050 (Agenda #4558) as follows:

WHEREAS, Section 5-600 of the Wilmington City Charter provides that modifications to the City's Comprehensive Development Plan may be recommended by the Planning Department with the advice of the City Planning Commission and adopted by City Council resolution after a public hearing; and

WHEREAS, the "Neighborhood Comprehensive Development Plan for the East Side Analysis Area" (the "East Side Comprehensive Plan") was adopted by City Council on April 1, 2004 and later amended on April 5, 2012; and

WHEREAS, Ordinance No. 18-019 has been introduced to City Council to amend the City's Official Building Zone Map relating to changing the zoning classifications of the two blocks (seven parcels) of land known as 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121 N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141 (collectively, the "Parcels"), from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications; and

WHEREAS, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its duly advertised public meeting held on February 20, 2018; and

WHEREAS, at its meeting on February 20, 2018, the City Planning Commission passed Resolution 02-18, which recommended the following amendments to the East Side Comprehensive Plan in order to reflect the proposed rezoning of the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications: (i) revise Plan Map D-9, as illustrated on the map attached hereto and made a part hereof as Exhibit "A"; (ii) revise Plan Map E, as illustrated on the map attached hereto and made a part hereof as Exhibit "B"; and (iii) amend Section 1 of Chapter 3 of the Plan, as set forth on Exhibit "C" attached hereto and made a part hereof; and

WHEREAS, in accordance with Wilmington City Charter Section 5-600(a), a duly advertised public hearing is scheduled to be held on July 2, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council hereby approves the following amendments to the East Side Comprehensive Plan: (i) revise Plan Maps D-9 and E to change the proposed land use designation for the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" and "B" and (ii) amend Section 1 of Chapter 3 of the Plan to change the proposed land use designation for the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as set forth on Exhibit "C" attached hereto and made a part hereof.

Upon a motion of Council Member Harlee, seconded by Council Member McCoy, the above Resolution was before the Council for its consideration. Council Member Harlee spoke on the purpose of the Resolution.

Several members of Council made some comments.

President Shabazz: Clerk will call the roll.

The Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Vote: Yeas, Council Members Oliver, Harlee, McCoy, Freel, Adams and Dixon, and Council President Shabazz. Total, seven. Nays, Council Members Congo, Turner, Williams and Guy. Total, four. Absent, Council Members Chukwuocha and Walsh. Total two.

President Shabazz: Declare it adopted. The Clerk will read the committee report.

The City Clerk read the following committee report:

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<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Yolanda McCoy, Vice-Chair	X		
Nnamdi O. Chukwuocha	X		
Ernest "Trippi" Congo, II	X		
Zanthia Oliver	X		
Va'Shun "Vash" Turner		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 14, 2018

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Ordinance No. 18-019** entitled:

AN ORDINANCE TO REZONE TWO BLOCKS (SEVEN PARCELS) OF LAND LOCATED IN DOWNTOWN WILMINGTON WITHIN THE AREA BOUNDED BY FRONT, WALNUT, SECOND, AND LOMBARD STREETS FROM C-2 (SECONDARY BUSINESS CENTERS) TO C-3 (CENTRAL RETAIL) ZONING CLASSIFICATIONS

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

Respectfully submitted, Members of
Community and Economic Development Committee
/s/Rysheema Dixon, Chair
/s/Nnamdi O. Chukwuocha
/s/Ernest "Trippi" Congo, II
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

Upon a motion of Council Member Harlee, seconded by Council Member Freel, the Report was received, recorded and filed. Motion prevailed.

Note: Although Council Member McCoy was present and reflected in the above June 14 Report, her signature was inadvertently missed.

President Shabazz: Clerk are there any findings?

Mrs. Seijo (City Clerk): Yes.

The City Clerk read the Factual Findings and upon a motion of Council Member Harlee, seconded by Council Member Dixon, the below Factual Findings supporting City Council's decision to pass Ordinance No. 18-019 to rezone two blocks (seven parcels) of land located in downtown Wilmington within the area bounded by Front, Walnut, Second, and Lombard Streets from C-2 (Secondary Business Centers) to C-3 (Central Retail) Zoning Classifications were made a part of the record. Motion prevailed. City Council's Factual Findings supporting its decision to pass Ordinance No. 18-019 are further reflected in the videotape of the July 2, 2018 City Council meeting and public hearing, which is incorporated herein by reference.

MEMORANDUM

TO: The Honorable Hanifa Shabazz, President of City Council
The Honorable Members of City Council

FROM: Betsy Power, Senior Assistant City Solicitor

CC: Marchelle Basnight, City Council Chief of Staff
Maribel Seijo, City Clerk
Tanya Washington, Mayor's Office Chief of Staff
Herbert M. Inden, Director of Planning
Luke W. Mette, City Solicitor
William B. Larson, Jr., Senior Assistant City Solicitor

DATE: June 7, 2018

RE: **City Council Findings Supporting Enactment of Ordinance No. 18-019 to Rezone Two Blocks (Seven Parcels) of Land Located in Downtown Wilmington within the Area Bounded by Front, Walnut, Second, and Lombard Streets from C-2 (Secondary Business Centers) to C-3 (Central Retail) Zoning Classifications**

Enclosed please find a copy of the findings (the "Findings") prepared in connection with Council's scheduled public hearing on July 2, 2018 regarding the above-referenced zoning ordinance (the "Ordinance"). The Findings supplement the record of the Planning Commission and its report, as well as the record of the Council's public hearing, and the Law Department advises their inclusion in the record as a means of complying with Delaware Court decisions that involve zoning ordinances of County governments, but the principles of which apply to Wilmington, as well.

In this instance, the Findings support the provisions of the Ordinance. The Findings and the Ordinance reflect the recommendations approved by the City Planning Commission at its regular meeting following its public hearing on February 20, 2018. At that meeting, the Planning Commission approved its Resolution No. 03-18, which recommended the rezoning proposed in the Ordinance. The enclosed Findings support those recommendations.

Should you have any questions regarding this matter, please do not hesitate to contact me.

FINDINGS SUPPORTING ENACTMENT OF ORDINANCE NO. 18-019

City Council makes the following findings (the “Findings”) regarding the rezoning of the properties that are the subject of Ordinance No. 18-019 (the “Ordinance”).

Rezoning Action:

Rezone Two Blocks (Seven Parcels) of Land Located in Downtown Wilmington within the Area Bounded by Front, Walnut, Second, and Lombard Streets from C-2 (Secondary Business Centers) to C-3 (Central Retail) Zoning Classifications. The seven parcels of land are known as 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121 N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141.

1. The proposed rezoning action is consistent with the Neighborhood Comprehensive Development Plan for the East Side Analysis Area as proposed to be amended, which is being adopted by City Council resolution contemporaneously herewith.
2. The proposed rezoning action would result in a more appropriate zoning classification for the affected parcels because the proposed zoning classification is intended for downtown locations adjacent to Central Business Districts while the current zoning classification is not.
3. The proposed rezoning action will not affect the existing land uses within the affected parcels, which will continue to be matter-of-right uses.
4. The proposed rezoning action does not introduce a change in maximum heights permitted in the area.
5. The proposed rezoning action is appropriate because it is an expansion to an existing C-3 zone located to the west of the affected parcels.
6. The proposed rezoning action will have no negative effect on population density patterns and will not overburden public utilities and facilities.
7. The proposed rezoning action will not create or excessively increase traffic congestion or otherwise adversely affect public safety.
8. The proposed rezoning action will not seriously reduce light and air to adjacent areas, but will be consistent with and complementary to the zoning classifications of nearby zoning districts and the property uses therein.

9. The proposed rezoning action will not adversely affect property values in the adjacent areas, nor will it be a deterrent to the improvement or redevelopment of adjacent properties, but rather should have a positive effect.
10. The proposed rezoning action will best serve the public welfare and will not constitute a grant of any special privilege to any individual owner of property.
11. The proposed rezoning action will not be out of scale but rather will be consistent with the needs and current and future uses of the subject area and the City of Wilmington.
12. The proposed rezoning action will not create any isolated districts, but rather will better relate the subject properties to each area and to future best uses of the properties.
13. Changing conditions in the area support the proposed rezoning action.
14. The proposed rezoning action is consistent with the adjacent zoning.
15. The proposed rezoning action adheres to the standards set forth in the applicable provisions of Chapter 48 of the City Code, Title 22 of the Delaware Code, and applicable Delaware case law.

CONCLUSION

This concludes the set of Council's Findings for the rezoning of the properties that are the subject of the Ordinance, as illustrated on the maps attached to the Ordinance. The Ordinance incorporates the recommendations of the City Planning Commission regarding the proposed rezoning action, which were approved at the Planning Commission meeting on February 20, 2018 and contained in its Resolution 03-18.

President Shabazz: Council Member present your third and final reading and everyone response, please note based on the findings in your response.

Council Member Harlee: Ok, I have an Ordinance to present and call for the third and final reading.

Council Member Harlee presented and called for the third and final reading Ordinance No. 18-019 (Agenda #4516) entitled:

AN ORDINANCE TO REZONE TWO BLOCKS (SEVEN
PARCELS) OF LAND LOCATED IN DOWNTOWN
WILMINGTON WITHIN THE AREA BOUNDED BY

FRONT, WALNUT, SECOND, AND LOMBARD
STREETS FROM C-2 (SECONDARY BUSINESS
CENTERS) TO C-3 (CENTRAL RETAIL) ZONING
CLASSIFICATIONS

Upon a motion of Council Member Harlee, seconded by Council Member McCoy, the above Ordinance was before the Council for its consideration. Council Member Harlee spoke on the purpose of the Ordinance.

President Shabazz: Clerk will call the roll.

The 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 Oliver: based on the findings; Harlee: based on the findings; McCoy: based on the findings; Freel: based on the findings; Adams: based on papers submitted and the findings; and Dixon: based on the findings; and Council President Shabazz: based on the findings. Total, seven. Nays, Council Members Congo: based on opposition from the community; Turner: based on the community; Williams: based on the lack of community support; and Guy: based on the lack of community support, the fact that the City of Wilmington interfered with the process by slipping in additional properties that have nothing to do with this bus hub, and also no, because we have a member of Council who's a Delaware employee by the agencies that are involved in this who's been intracule part of this, which to me tints the whole process. Total, four. Absent, Council Members Chukwuocha and Walsh. Total two.

President Shabazz: Declare it adopted. Council Member Turner.

Council Member Turner: No legislation tonight Madam President.

President Shabazz: Council Member McCoy.

Council Member McCoy: I have a presentation to present on behalf of Council Member Dixon. I can wait.

President Shabazz: But she's here now.

Council Member McCoy: Oh she's...(inaudible)...then nothing tonight Madam President.

President Shabazz: Thank you. Thank you for assisting. So, Council Member Dixon...

Mrs. Seijo (City Clerk): Go to Williams first.

President Shabazz: ...I'm going to – when I come back to you. Okay?
Council Member Williams.

Council Member Williams: Madam President I have an Ordinance to call
– present this evening for first and second reading.

Council Member Williams presented and called for the first and second
reading Ordinance No. 18-040 (Agenda #4559) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE REGARDING OFF-HIGHWAY VEHICLES

The above Ordinance was given two separate readings by title only and
upon a motion of Council Member Williams, seconded by Council Member Dixon, the
Ordinance was received, recorded and referred to the Public Safety Committee. Motion
prevailed.

President Shabazz: Council Member Freel.

Council Member Freel: I have nothing this evening, thank you.

President Shabazz: Council Member Adams.

Council Member Adams: No legislation this evening ma'am.

President Shabazz: Council Member Dixon.

Council Member Dixon: Um yes Madam President, I have a Resolution to
present.

Council Member Dixon presented Resolution No. 18-051 (Agenda #4560)
as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council
deemed it necessary and proper to specify the requirements for review and approval of
City-sponsored grant applications and proposals, including authorization for expedited
grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Department of Real Estate and Housing submitted a
grant application to the Highmark Delaware in the amount of \$15,000 to support the
Neighborhood Clean Team Initiative; and

WHEREAS, the grant funds will be used to support an initiative that is a
workforce development effort that will put over 20 people to work over 12 weeks
beautifying neighborhoods across the City of Wilmington; and

WHEREAS, the grant does not require any matching funds; and

WHEREAS, the Council deems it necessary and proper to authorize the
grant application, for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Real Estate & Housing's grant application to Highmark Delaware in the amount of \$15,000 to support the Neighborhood Clean Team Initiative is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Real Estate & Housing or his designee is hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The grant requires no matching funds.

Upon a motion of Council Member Dixon, seconded by Council Members McCoy and Williams, the above Resolution was before the Council for its consideration. Council Member Dixon spoke on the purpose of the Resolution.

President Shabazz: Clerk will call the roll.

The 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 Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted. Thank you. You could be excused Councilwoman Dixon.

Council Member Dixon: Thank you.

President Shabazz: Councilman Guy.

Council Member Guy: Yes Madam President, I have an Ordinance to present, agenda item 4561 and call for the first and second reading.

Council Member Guy presented and called for the first and second reading Ordinance No. 18-041 (Agenda #4561) entitled:

AN ORDINANCE TO AMEND CHAPTER 8 OF THE CITY CODE TO REQUIRE THAT DEVELOPERS WHO RECEIVE FINANCIAL ASSISTANCE FROM THE CITY OF WILMINGTON ON RESIDENTIAL CONSTRUCTION PROJECTS REQUIRE THEIR CONSTRUCTION CONTRACTORS TO HIRE WORKERS FROM CLASS A APPRENTICE PROGRAMS

The above Ordinance was given two separate readings by title only and upon a motion of Council Member Guy, seconded by Council Member Williams, the Ordinance was received, recorded and referred to the Community Development & Urban Planning Committee. Motion prevailed.

Council Member Guy: Madam President, I have a Resolution, agenda item 4562 to present.

Council Member Guy presented Resolution No. 18-052 (Agenda #4562) as follows:

WHEREAS, pursuant to Wilm. C. § 2-3 the mayor retains authority to sub-name by executive order any city street and designate the appropriate sub-name signage pursuant to subsection 2-298(17); and

WHEREAS, it is fitting that the City take steps to properly recognize and pay tribute to Wilmington residents who make a significant impact on history and culture through their exemplary accomplishments; and

WHEREAS, one such resident is the world-renowned musician Wilbert “Wilby” B. Fletcher. Mr. Fletcher was born and raised in the City of Wilmington, and first rose to prominence for his artistic ability performing with the bands of McCoy Tyner and Grover Washington, Jr.; and

WHEREAS, Mr. Fletcher was first introduced to drums at the young age of four, and participated in the high school band at P.S. Dupont High School. Mr. Fletcher began working as professional drummer at the age of fifteen, often playing at nightclubs with bands performing a variety of music. Upon graduating from P.S. Dupont High School in 1972, Mr. Fletcher went on to attend the Berklee College of Music in Boston, Massachusetts. His father, the late Wilbert Fletcher, is credited with introducing Mr. Fletcher to jazz music, leading him to a robust career in music; and

WHEREAS, Mr. Fletcher first joined the McCoy Tyner Quartet in the seventies, and had his first appearance with the band at the Jazz Showcase in Chicago. His natural ability was put to the test at the Jazz Showcase, as he had not had any time for a rehearsal prior to performing, and yet he still managed to hold his own. He performed with Tyner for ten years, and appeared on the recording *Atlantis*. Mr. Fletcher would then go on to work with violinist John Blake, with whom he had a close relationship. He is featured in John Blake’s first two albums, *Maiden Dance* and *A Twinkling of an Eye*; and

WHEREAS, Mr. Fletcher was known for his incredible range of talents and interests, reflected in the number of entertainers he played with all over the world, including Charles Earland, Ahmad Jamal, Dianne Reeves, Sadao Watanabe, Herbie Mann and Roberta Flack. While Mr. Fletcher was a very talented man, he was also a father to six wonderful children; and

WHEREAS, though Mr. Fletcher achieved many accolades and recognition as a musician, he also found time to play for the church services at Shiloh Baptist Church in Wilmington, and would also provide drum theory lessons to interested youth in the community. Mr. Fletcher was more than a performer with incredible talent; he was also a community educator and leader; and

WHEREAS, City Council wishes to recognize the exceptional accomplishments, talent and contributions of Wilbert “Wilby” B. Fletcher. Mr. Fletcher’s musical ability inspired many, not only in Wilmington but throughout the world. Mr. Fletcher also brought that talent into his community, playing at a local church and providing lessons to children. Council therefore encourages the Mayor to sub-name a portion of the street in the area of East 28th Street and Speakman Place as “Wilbert “Wilby” B. Fletcher Way.”

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council respectfully encourages the Mayor to designate a portion of the street in the area of East 28th Street and Speakman Place as “Wilbert “Wilby” B. Fletcher Way,” in recognition of Mr. Fletcher’s significant contributions to the City of Wilmington. City Council looks forward to joining the Administration in celebrating this designation.

Upon a motion of Council Member Guy, seconded by Council Members Williams and Freel, the above Resolution was before the Council for its consideration. Council Member Guy spoke on the purpose of the Resolution.

Council Members Oliver, Chukwuocha, Harlee, Turner and Williams and President Shabazz requested to be added as co-sponsors.

President Shabazz: Clerk will call the roll.

The 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 Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams and Guy, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Chukwuocha, Dixon and Walsh. Total, three.

President Shabazz: Declare it adopted.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications this evening.

ADJOURNMENT

Upon a motion of Council Member Oliver and duly approved by several members of Council, the meeting was adjourned at 8:12 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk