

*Wilmington, Delaware
Louis L. Redding
City/County Building
August 27, 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, Darius Brown, Shabazz, Prado*, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright and Council President Gregory. Total, eleven. Absent, Council Members Congo and Cabrera. Total, two.

MINUTES

After reading a portion of the minutes of August 20, 2015, upon a motion of Ms. Walsh, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado		X	
Robert A. Williams	X		

August 26, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 15-030** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 16010PW –
SEWER CONSTRUCTION – WITH BRANDYWINE
CONSTRUCTION CO., INC.

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado		X	
Robert A. Williams	X		

August 26, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 15-033 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16003PW –
JANITORIAL SERVICES AT THE MUNICIPAL COMPLEX
WITH ACS JANITORIAL SERVICE, INC.

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

Respectfully submitted, Members of
 Public Works & Transportation Committee
 /s/Hanifa Shabazz, Chair
 /s/Nnamdi O. Chukwuocha
 /s/Robert A. Williams

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 August 27, 2015 was read into
 the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr.
 Freel/Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON August 27, 2015

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 3,396.81
105	Police Pension Account	M & T Bank	\$ 524,161.83
106	Fire Pension Account	M & T Bank	\$ 17,885.06
107	Evidence/Found Currency Account	M & T Bank	\$ 481,573.53
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	\$ 102,872.85
117	Cement Workers	Wilmington Savings Fund	\$ 33,447.62
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 464,251.70
130	Payroll	M & T Bank	\$ 264,116.39
131	Pension Payroll Account	M & T Bank	\$ 3,312.39
139	Pension Healthcare Account	M & T Bank	\$ 44,470.61
	Total Cash on Hand		\$ 1,958,063.93

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	08/27/15	0.01%	\$ 2.41	\$ 8,788,821.00
116	General	TD	CD	08/28/15	0.25%	\$ 143.84	\$ 1,000,000.00
124	Non-Uniform 1990	WSFS	CD	08/28/15	0.30%	\$ 334.10	\$ 1,355,000.00
106	Fire Pension	WSFS	CD	08/28/15	0.30%	\$ 362.46	\$ 1,470,000.00
105	Police Pension	WSFS	CD	08/28/15	0.30%	\$ 246.57	\$ 1,000,000.00
116	General	WSFS	CD	09/18/15	0.30%	\$ 953.42	\$ 2,000,000.00
110	Capital	WSFS	CD	09/22/15	0.30%	\$ 13,606.52	\$ 19,476,000.00
116	General	TD	CD	09/25/15	0.25%	\$ 402.74	\$ 1,200,000.00
116	General	TD	CD	09/30/15	0.25%	\$ 482.88	\$ 1,500,000.00
116	General	WSFS	CD	09/30/15	0.30%	\$ 811.23	\$ 2,100,000.00
116	General	WSFS	CD	10/02/15	0.30%	\$ 739.72	\$ 2,000,000.00
116	General	TD	CD	10/16/15	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	WSFS	CD	10/30/15	0.30%	\$ 2,071.23	\$ 3,500,000.00
116	General	TD	CD	11/02/15	0.25%	\$ 719.18	\$ 1,500,000.00
116	General ¹	TD	CD	12/01/15	0.25%	\$ 10,598.01	\$ 15,169,686.00
110	Capital ²	TD	CD	12/04/15	0.25%	\$ 1,107.68	\$ 1,540,195.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
104	Escrow Pension	Affinity Wealth					\$ 1,417,759.00
104	Escrow Pension	Vanguard					\$ 43,042,052.00
104	Escrow Pension	Black Rock					\$ 24,444,661.00
104	Escrow Pension	Edgar Lomax					\$ 22,015,795.00
104	Escrow Pension	Wilmington Trust					\$ 44,193,893.00
104	Escrow Pension	Manning & Napier					\$ 10,682,241.00
104	Escrow Pension	Earnest Partners					\$ 18,093,843.00
104	Escrow Pension	GMO					\$ 11,884,182.00
104	Escrow Pension	MFS Management					\$ 22,744,703.00
104	Escrow Pension	American Funds					\$ 11,117,823.00
139	Medical Escrow	Black Rock-OPEB					\$ 14,078,685.00
116	Deferred Comp.	MassMutual					\$ 38,565,268.00
	Total Investments						\$ 341,220,801.10
	Total Cash on Hand						\$ <u>1,958,063.93</u>
	Grand Total						\$ 343,178,865.03

¹ Budget Reserve

² SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Horace Julian Bond
All Council	Commend Delaware National Guard – 360 th Anniversary**
Cabrera	Sympathy Bryan “Bk” Hart
Gregory	Recognize Team Delaware Division 2 AAU National Champions
Gregory	Commend Corporal Dennis Leahy and Senior Corporal Michael Hayman
Gregory	Sympathy Gregory Dale
Gregory	Best Wishes Jo Anne Ingram – 65 th Birthday
Gregory	Sympathy Lula Mae Wing

**Note: During this time, Mr. Prado was marked present and reflected herein in the minutes (Roll Call).*

A moment of silence was done for the late Horace Julian Bond who was a Civil Rights leader.

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President; thank you.

President Gregory: Mr. Congo. Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. We’re going to hold Resolution #4092 because it should be a non-legislative Resolution. Thank you.

President Gregory: Thank you. Say you’re withdrawing it.

Mr. Darius Brown: I withdraw #4092. Thank you.

Mrs. Seijo (City Clerk): Thank you.

President Gregory: Thank you. Technically, you want to suspend the rules and put it on the non-legislative business for this evening.

Mr. Darius Brown: Yes.

President Gregory: So the rules are suspended this passed in the non-legislative business.

Mr. Darius Brown: Yes, I would like to yes.

President Gregory: It's done. Thank you.

Mrs. Seijo (City Clerk): So noted; thank you.

****Note:** Agenda #4092 was withdrawn as this item is considered a commending resolution and is properly placed under non-legislative business.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 15-030 (Agenda #4076) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 16010PW –
SEWER CONSTRUCTION – WITH BRANDYWINE
CONSTRUCTION CO., INC.

On the question:

Ms. Shabazz: This Resolution is presented before Council's review and approval and it is a contract with Brandywine Construction Company for approximately a period of one-year in a total of \$998,090 with a possibility of two (2) one-year extension at the option of the City and is subject to a price escalation not to exceed two percent of the original contract price. This contract was put out to bid and vetted and did meet all of the DBE and DBE requirements and was successful in being presented to the Brandywine Construction Company. It will provide – support maintenance for our sewer systems and give us on the call resources to be able to handle the various issues and mishaps that come throughout our sewer systems.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. It's important to point out that during the committee meeting, there was some discussion that this is also, you know, it's a not a pay as you go. We pay a flat fee and this company comes and takes care of our sewer system. So, if you see a catch basin that's collapsing; you see something that's backing up, call it in. We're paying for it. Call these things in and let this company repair this for us. It doesn't matter whether we give them a hundred or two. Call them in. We're going to use our money wisely.

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

Ms. Shabazz: Mr. President, I would like to – I said Resolution and it’s an Ordinance. I wanted to make that correction for the record.

President Gregory: Ok, thank you. The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh/Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Congo and Cabrera. Total, two.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Yes, 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. 15-033 (Agenda #4086) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16003PW –
JANITORIAL SERVICES AT THE MUNICIPAL COMPLEX
WITH ACS JANITORIAL SERVICE, INC.

On the question:

Ms. Shabazz: This Ordinance presented by the Administration for Council’s review and approval and should be authorizing the Department of Public Works to enter into a one-year contract with ACS Janitorial Services for the Turner Municipal Complex, which houses our offices and staff of Public Works and Parks and Recreation. The contract begins July 1, 2015 and is in the amount of \$47,368. ACS has – was selected because it was the lowest responsible bidder and has been the – has had this contract with the City and has done a very successful job and again it was awarded at this time here. It is for one period with two (2) possible extension of one (1) year each at the same annual amount.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President, I just want to note because this is a new contract that the minimum hourly rate would be at our previous ordinance \$10.10.

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

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Walsh and Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Congo and Cabrera. Total, two.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: (technical difficulty was experienced at this time).

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. No legislation this evening;
thank you.

President Gregory: You sound like Mr. Brown. Mr. Freel.

Mr. Freel: Mr. President, I have a Resolution and an Ordinance for first
and second.

Mr. Freel presented Resolution No. 15-044 (Agenda #4093) as follows:

WHEREAS, Ordinance No. 14-026, which proposes amendments to the Zoning Map by rezoning property comprising the former Wilmington Finishing Company, from C-6 to W-4 and R-2 zoning classifications, was introduced by City Council at its regular meeting of June 5, 2014; and

WHEREAS, pursuant to Wilm. C. §48-52, the City Planning Commission has 90 days to review and submit a report to the Mayor concerning that Ordinance;

WHEREAS, on May 21, 2015 City Council passed a resolution to extend the City Planning Commission's time for review by ninety (90) days to on or about September 1, 2015; and

WHEREAS, City Council believes it is necessary and desirable to extend the City Planning Commission's time for review by an additional ninety (90) days through and including December 1, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the time for review and submission of a report by the City Planning Commission on Ordinance No. 14-026, or a Substitute thereto, is hereby extended an additional ninety (90) days through and including December 1, 2015.

On the question:

Mr. Freel: Yes Mr. President, all this does it extends the period for review for rezoning for the old Wilmington Finishing site by ninety (90) days.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel presented and called for the first and second reading Ordinance No. 15-037 (Agenda #4094) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT WITH
PAYMENTUS CORPORATION FOR ELECTRONIC
BILL PAYMENT SERVICES

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. Freel, seconded by Ms. Walsh/Mr. Williams, the 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. Michael Brown.

Mr. Michael Brown: Yes Mr. President, I really appreciate you asking but nothing tonight. Thank you.

President Gregory: Thank you Mr. Williams. Oh, I mean Mr. Brown.

Mr. Michael Brown: Yeah, okay.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation.

President Gregory: Mr. Wright.

Mr. Wright: No legislation.

President Gregory: I entertain a motion.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications this evening.

ADJOURNMENT

Upon a motion of Mr. Wright, seconded by Ms. Shabazz/Mr. Michael Brown, Council adjourned at 6:55 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk