

*Louis L. Redding  
City/County Building  
January 17, 2013*

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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright and Council President Gregory. Total, thirteen.

### **MINUTES**

After reading a portion of the minutes of December 13, 2012 and January 8, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Mr. Freel presented the following four-committee reports:

Ladies and Gentlemen:

January 14, 2013

We, your Finance Committee, to who was referred Ordinance No. 12-077 entitled:

AN ORDINANCE CONSTITUTING BUDGET AMENDMENT  
NO. 4 TO ORDINANCE NO. 12-019 TO AMEND THE  
POSITION ALLOCATION LIST FOR FISCAL YEAR 2013  
BY MAKING A POSITION RECLASSIFICATION IN THE  
DEPARTMENT OF FINANCE

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel  
/s/Michael A. Brown, Sr.

/s/Hanifa G.N. Shabazz

/s/Theopalis K. Gregory, Sr., Ex Officio

**\*Note:** Ms. Walsh was noted absent with leave from the above referenced committee.

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

Ladies and Gentlemen:

January 14, 2013

We, your Finance Committee, to who was referred Substitute No. 1 to Ordinance No. 13-001 entitled:

AN ORDINANCE CONSTITUTING BUDGET  
AMENDMENT NO. 5 TO ORDINANCE NO. 12-019  
TO AMEND THE POSITION ALLOCATION LIST  
FOR FISCAL YEAR 2013 BY MAKING CHANGES  
IN THE MAYOR'S OFFICE AND PLANNING  
DEPARTMENT; AND APPROPRIATE THE USE OF  
GENERAL FUND BALANCE BY AMENDING THE  
FY2013 OPERATING BUDGET ORDINANCE

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

Respectfully submitted, Members of  
Finance Committee

/s/Charles M. Freel

/s/Michael A. Brown, Sr.

/s/Samuel Prado

/s/Hanifa G.N. Shabazz

/s/Theopalis K. Gregory, Sr., Ex Officio

**\*Note:** Ms. Walsh was noted absent with leave from the above referenced committee.

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

#### FINANCE COMMITTEE REPORT

January 14, 2013

President and Members of the 106<sup>th</sup> Session of Council of the City of Wilmington:

We, your Finance Committee, at the request of Mayor-Elect Dennis P. Williams, pursuant to City Council Rule 8, to whom was referred the matter of the

appointment of Michael P. Migliore as City Solicitor, have given this matter careful study, conducted a Confirmation Hearing on Monday, January 14, 2013 and recommend Council vote on it accordingly at the January 17, 2013 Wilmington City Council Meeting.

Respectfully submitted,  
/s/Charles M. Freel  
Finance Committee Chairman

Cc: Maribel Seijo, City Clerk  
Council Members

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles "Bud" Freel	YES		
Michael A. Brown Sr.	YES		
Samuel Prado	YES		
Hanifa G.N. Shabazz	YES		
Loretta Walsh		YES	
Theopatis K. Gregory	YES		

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

#### FINANCE COMMITTEE REPORT January 14, 2013

President and Members of the 106<sup>th</sup> Session of Council of the City of Wilmington:

We, your Finance Committee, at the request of Mayor-Elect Dennis P. Williams, pursuant to City Council Rule 8, to whom was referred the matter of the appointment of Earl T. Jeter as City Auditor, have given this matter careful study, conducted a Confirmation Hearing on Monday, January 14, 2013 and recommend Council vote on it accordingly at the January 17, 2013 Wilmington City Council Meeting.

Respectfully submitted,  
/s/Charles M. Freel  
Finance Committee Chairman

Cc: Maribel Seijo, City Clerk  
Council Members

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles "Bud" Freel	YES		
Michael A. Brown Sr.	YES		
Samuel Prado	YES		
Hanifa G.N. Shabazz	YES		
Loretta Walsh		YES	
Theopolis K. Gregory	YES		

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

### **TREASURER'S REPORT**

The following Treasurer's Report dated January 17, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. D. Brown, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON January 17, 2013**

102	Community Development Block Grant	Wilmington Trust Company	\$ 1.00
104	Old Non-Uniform Pension Account	Wilmington Trust Company	\$ 1,072.22
105	Police Pension Account	Wilmington Trust Company	\$ 5,583.95
106	Fire Pension Account	Wilmington Trust Company	\$ 3,885.12
107	Evidence/Found Currency Account	Wilmington Trust Company	\$ 77,368.26
108	Rent Withholding Escrow	Wilmington Trust Company	\$ 4,137.97
110	Capital Projects Account	Wilmington Trust Company	\$ 213,145.55
113	Non-Uniform Pension	Wilmington Trust Company	\$ 471.58
114	Central Deposit	Wilmington Trust Company	\$ 111,877.70
116	General Account	Wilmington Trust Company	\$ 1.00
117	Cement Workers	Wilmington Savings Fund	\$ 33,328.12
118	Worker's Comp. 3 <sup>rd</sup> Party Account	Wilmington Trust Company	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	Wilmington Trust Company	\$ 36,086.24
130	Payroll	Wilmington Trust Company	\$ 257,459.69
131	Pension Payroll Account	Wilmington Trust Company	\$ 8,319.93
139	Pension Healthcare Account	Wilmington Trust Company	\$ 51,439.34
	Total Cash on Hand		\$ 817,180.88

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	01/17/13	0.25%	\$ 58.67	\$ 8,564,737.00
116	General	WSFS	CD	01/25/13	0.30%	\$ 591.78	\$ 2,000,000.00
110	Capital	WSFS	CD	01/25/13	0.30%	\$ 1,183.56	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	01/25/13	0.25%	\$ 201.35	\$ 839,906.22
110	Capital	WSFS	CD	01/31/13	0.30%	\$ 18,306.71	\$ 24,476,000.00
106	Fire Pension	WSFS	CD	01/31/13	0.30%	\$ 178.35	\$ 620,000.00
124	Non-Uniform 1990	WSFS	CD	01/31/13	0.30%	\$ 1,139.17	\$ 3,960,000.00
105	Police Pension	WSFS	CD	01/31/13	0.30%	\$ 12.94	\$ 45,000.00
105	Police Pension	WSFS	CD	01/31/13	0.30%	\$ 178.77	\$ 750,000.00
110	Capital	WSFS	CD	02/01/13	0.30%	\$ 7,808.21	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	02/07/13	0.25%	\$ 5,384.28	\$ 14,292,802.00
116	General	WSFS	CD	02/08/13	0.30%	\$ 821.92	\$ 2,000,000.00
110	Capital	WSFS	CD	02/08/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
116	General	WSFS	CD	02/22/13	0.30%	\$ 690.41	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	02/25/13	0.25%	\$ 791.20	\$ 1,540,195.00
514	Risk Management	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
515	Worker's Comp.	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
104	Escrow Pension	Affinity Wealth					\$ 1,000,000.00
104	Escrow Pension	Vanguard					\$ 16,630,655.00
104	Escrow Pension	Merrill Lynch					\$ 50,125,465.00
104	Escrow Pension	Edgar Lomax					\$ 23,848,954.00
104	Escrow Pension	Wilmington Trust					\$ 30,997,615.00
104	Escrow Pension	Manning & Napier					\$ 22,021,355.00
104	Escrow Pension	Earnest Partners					\$ 10,595,119.00
104	Escrow Pension	GMO					\$ 10,131,903.00
139	Medical Escrow	Merrill Lynch					\$ 9,197,388.00
116	The Hartford	Deferred Comp.					\$ 31,890,214.00
	Total Investments						\$ 284,453,011.26
	Total Cash on Hand						\$ <u>817,180.88</u>
	Grand Total						\$ 285,270,192.14

<sup>1</sup> Budget Reserve <sup>2</sup> Lincoln Towers BAN <sup>3</sup> SEU

/s/Henry W. Supinski, City Treasurer

## **NON-LEGISLATIVE BUSINESS**

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

D. Brown	Recognize Nehemiah Gateway
D. Brown	Recognize National Poverty In America Awareness Month
Chukwuocha	Sympathy Dr. Chester W. Gregory, Sr.
Prado	Sympathy Margaret Amoroso Olivere
Shabazz	Best wishes Bishop Aretha Morton's 75 <sup>th</sup> Birthday
Shabazz	Retirement Janet Leban
Shabazz	Sympathy Rosezitter Criswell Walker
Shabazz	Recognize Central Baptist Church 70 <sup>th</sup> Anniversary
Walsh	Sympathy Elizabeth V. Vari

## **LEGISLATIVE BUSINESS**

Mr. D. Brown presented Resolution No. 13-004 as follows:

**WHEREAS**, the 106<sup>th</sup> Session of Wilmington City Council recognizes the advocacy of the Center for American Progress to address poverty in America; and

**WHEREAS**, the Council supports the Half in Ten Act of 2013 – to establish within the Department of Health and Human Services (HHS) a federal interagency working group on reducing poverty, which shall develop a national plan or strategy to reduce the number of persons living in poverty in America in half within 10 years; and

**WHEREAS**, poverty can be seen as a deep, structural problem that implicates our value system and our educational and economic institutions; and

**WHEREAS**, poverty may be defined as the lack of basic necessities of life such as food, shelter, clothing, health care, education, economic security, and economic opportunity; and

**WHEREAS**, policy initiatives and many safety net programs addressing poverty have not kept pace with the needs of millions of Americans; and

**WHEREAS**, the lack of an equitable distribution of housing choices across the country leads to isolation and concentrated poverty; and

**WHEREAS**, the term 'poverty' means an income level and living standard associated with and based on the official poverty measure as established and updated by the U.S. Census Bureau which establishes a threshold of minimum income necessary to achieve a standard of living free from deprivation of basic needs; and

**WHEREAS**, the term 'extreme poverty' means having an income level or living standard at a level of extreme deprivation based on living with income below 50 percent of the Federal poverty line as established by the U.S. Census; and

**WHEREAS**, the term 'near poverty' means having a level of household income below 200 percent of the Federal poverty line; and

**WHEREAS**, the term 'child poverty' means poverty which impacts those persons under 18 years of age; and

**WHEREAS**, the term ‘deprivation’ means lacking some or all basic human needs; and

**WHEREAS**, the term ‘decent living standard’ means the amount of annual income that would allow an individual to live beyond deprivation at a safe and decent, but modest, standard of living; and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council supports broad social, economic, and political actions to end poverty and the vast inequalities in wealth and income; and

**BE IT FURTHER RESOLVED** that Council supports eradicating extreme poverty, child poverty, and the persistent disparity in poverty rates found in communities of color and furthermore that Wilmington City Council supports the passage of the Half in Ten Act of 2013 during the One Hundred Thirteenth United States Congress.

President Gregory: On the question.

Mr. D. Brown: Yes, Mr. President. The Half and Ten Act of 2013 is part of a national initiative that Congresswoman Barbara Lee from, Democrat, from California, has sponsored to create an interagency working group within the Department of Health and Human Services. The purpose of this working group is to reduce poverty in half within ten years. Congresswoman Lee has extended this to local municipalities and is requesting their support as she continues advocacy around this piece of legislation in Congress.

President Gregory: Anyone else? Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 13-005 as follows:

**WHEREAS**, Ordinance No. 12-060, which proposes to amend Chapter 48 of the City Code by removing the requirement that members of the Design Review and Preservation Commission may not hold any other public office and adds the requirement that four of the six members of the Design Review and Preservation Commission may not be a City of Wilmington employee or official, was introduced by City Council at its regular meeting of October 4, 2012; and

**WHEREAS**, the City Planning Commission has reviewed said Ordinance No. 12-060, or a Substitute thereto, at its December 18, 2012 regular meeting and recommends approval of the Ordinance to the City Council; and

**WHEREAS**, the Design Review and Preservation Commission has reviewed said Ordinance No. 12-060, or a Substitute thereto, at its December 19, 2012 regular meeting and recommends approval of the Ordinance to the City Council; and

**WHEREAS**, the City Council proposes to schedule a public hearing for review of Ordinance No. 12-060, or a Substitute thereto, to be duly advertised in conformity with Wilm. C. §48-51, by publication in any newspaper of general circulation, at least once, not less than fifteen (15) days prior to the date of the public hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council hereby schedules a public hearing on Ordinance No. 12-060, or a Substitute thereto, to be held on February 7, 2013, at 6:30 p.m., in the City Council Chambers, to consider the proposed amendment to Chapter 48 of the City Code which removes the requirement that members of the Design Review and Preservation Commission may not hold any other public office and adds the requirement that four of the six members of the Design Review and Preservation Commission may not be a City of Wilmington employee or official.

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

President Gregory: On the question.

Ms. Shabazz: Yes, Mr. President. This Resolution is to schedule a public hearing on February 7 to review the amendment of Chapter 48 of the City Code regarding Design Review and Preservation Commission, its membership and its membership requirements.

President Gregory: Anyone else? Clerk will call the roll.

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

President Gregory: Anything else Ms. Shabazz?

Ms. Shabazz: No Sir. Thank you.

Ms. Seijo: Declare it. Mr. President can you...

President Gregory: Declare it adopted.



Ms. Seijo: Thank you.

President Gregory: Mr. Prado.

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

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Robert Williams.

Mr. Williams: Nothing this evening Mr. President. Thank you.

President Gregory: Mr. Michael....Mr. Freel.

Mr. Freel: Thank you Mr. President. First, I'd like to make a motion that we withdraw Agenda No. 3771 (Ordinance No. 12-077).

President Gregory: I need a second.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, Agenda No. 3771 (Ordinance No. 12-077) was **withdrawn** from the agenda. Motion prevailed.

Mr. Freel: Just Mr. President after discussion with the Mayor's Office, it was agreed that we withdraw this Ordinance from the agenda.

Mr. Freel: I have one additional Ordinance for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-001 entitled:

AN ORIDNANCE CONSTITUTING BUDGET AMENDMENT  
NO. 5 TO ORDINANCE NO. 12-019 TO AMEND THE  
POSITION ALLOCATION LIST FOR FISCAL YEAR 2013  
BY MAKING CHANGES IN THE MAYOR'S OFFICE AND  
PLANNING DEPARTMENT; AND APPROPRIATE THE  
USE OF GENERAL FUND BALANCE BY AMENDING  
THE FY2013 OPERATING BUDGET ORDINANCE

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

AN ORIDNANCE CONSTITUTING BUDGET AMENDMENT  
NO. 5 TO ORDINANCE NO. 12-019 TO AMEND THE  
POSITION ALLOCATION LIST FOR FISCAL YEAR 2013

BY MAKING CHANGES IN THE MAYOR'S OFFICE AND  
PLANNING DEPARTMENT; AND APPROPRIATE THE  
USE OF GENERAL FUND BALANCE BY AMENDING  
THE FY2013 OPERATING BUDGET ORDINANCE

President Gregory: On the question.

Mr. Freel: Yes, Mr. President. At this time, I'd like to offer an amendment to the Ordinance, and I'll try to go through this slow. On, in Section 1A, number 13, we're going to strike the number 89,639 and we're going to insert 94,639. At the end of Section 2, we're going to insert a "C", which will read the following: "In the Finance Department General Fund Position Allocation List, delete Revenue Operation Supervisor." The decrease will be 105,107 in salary and benefits; and right below that, we're going to insert "D": "In the Department of Parks and Recreation General Fund Position Allocation List, delete Assistant Director of the Wilmington "Hicks" Anderson Community Center." The deletion, the decrease will be 83,051 in salary and benefits. And then in Section 3, we will be striking the number 198,212 and we will insert the number 106,793. We, next we'll go to the synopsis. At the end of the first paragraph we will insert: "Finally, two vacant positions are being deleted, one each in the Finance Department and Parks and Recreation Department," for a net increase of three positions. In the second paragraph we will strike 198,212 and we will insert 106,793. Those are all the amendment changes.

President Gregory: That's in the form of a motion; can I get a second?

Ms. Walsh/Mr. M. Brown/Ms. Shabazz: Second.

President Gregory: On the question.

Mr. Freel: I just want to say, sir, that these changes obviously are some different from the original Ordinance. There was a special meeting of the Administration Board and we did review the Position Allocation List with the new changes in it.

President Gregory: Thank you. At this time all those in favor of the motion to amend so note by saying aye.

Members: Aye.

President Gregory: Nays? Abstentions? Ayes have it. Now we'll go back to the Substitute Ordinance, Mr. Freel.

Mr. Freel: Yes, I'm going to kind of refer to our very colorful cheat-sheet here, as I just kind of summarize the Ordinance. As you will see, there's, there's a couple different things happening: we have some title changes, with grade and salary changes; we have some salary changes only; we have one title change only; and then I guess the

major part is we are adding five new positions to the Mayor's Office and we are deleting two positions as we just did in the amendment – one to Finance and one to Parks and Recreation. I will try to answer any questions at this time and I'll reserve additional comments for later in the discussion.

President Gregory: Mr. Prado.

Mr. Prado: I just have a comment. I just wanted to say that I'll be supporting this tonight. I thought that it was a fair compromise and I appreciate it, the statement you made on this, particularly in regards to, you know, we, reducing costs and getting rid of some of the vacant positions this year and, and, you know, in, in the years to come to address this, this deficit that we have. So, I'm a big fan of compromise and I think that, you know, the Mayor, we need to give the Mayor what he needs but at the same time, I thought that, that it was a fair compromise when both sides were able to work together to, to get this done. So, I will be supporting it. Thank you Mr. President.

President Gregory: Anybody else? Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I, too, have thought about this and looked at the numbers and one of the things that Mayor Williams said is he would work with Council and in working with Council he was able to come up, he and his staff were able to come up with an amicable solution. So I, too, will be supporting this initiative tonight.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, I want to commend the Mayor and the Administration for going back to the table and working together with the leadership of Council, and by meeting us half way. The key word here is working together. I think a lot of us campaigned on many issues facing our city and one of the things that we need to do more than ever now is to be united in working on these issues. Obviously, I was one of the people who questioned the fact that our City workers have not gotten a raise, among other issues. I did reach out; I spoke to constituents, I spoke to City workers, I spoke to the unions. The feeling that they had, although not everybody was in favor, was that if they could be, if they could see them meeting us half way that they would be in favor of this. So, following my heart's decision and the fact that I did my research, I, too, will be supporting this.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. As, as I mentioned during the Finance Committee meeting that I am a former director of one of the, our city's Neighborhood Planning Councils and in that role I work, worked closely with the Planning Department and civic associations and I, tonight I'm here to say that, that I, I'm encouraged by the Mayor's vision to create the Neighborhood Development pos-

Director position. I believe that this position truly addresses a need and it fills a gap in service between the civic associations, the neighborhood planning councils, the Planning and Economic Development departments. And also, and I believe that the creation of this department re-affirms our Mayor's efforts to focus on neighborhood development. Secondly, I, I applaud the Mayor for, for bringing our former State Treasurer on board. I believe I, as a young man in the community, I heard folklore almost about Ms. Potter's grace when she was "lent" to the City and how she helped get things back on order, so I believe that having her on our team is, can only be an asset to, to our city. And lastly, however, I, I do have a grave concern regarding one of the positions that is slated to be eliminated, the Director, the Assistant Director for the William "Hicks" Anderson Community Center. Over my, my past twenty years of working in non-profit, I've always worked very closely with, with the associate directors of the "Hicks" Anderson Community, up until today with my work in West Center City where I, where I'm placed and I, I'm almost in the Center every day. So, literally, I, I see every day that the need, on, on a first-hand basis, that the need for having an associate director at the Center. I work every day hands-on with Ms. Freeman, I believe that she's very capable and qualified and I believe that she needs as capable and as qualified as assistant director, and I, I think that not having that position filled it only goes to, to add to the lack of quality programs and services that the City is providing. So, I would hope that the, the Mayor and the Administration and the Director of Parks and Recreation would maybe down the line reconsider the need for that position. That's it, Mr. President.

President Gregory: Anyone else? Mr. Brown.

Mr. M. Brown: Yes, thank you Mr. President. I, too, along with what was just stated, had very strong issues as a former director of William "Hicks" Anderson Community Center, of them eliminating that position. Had very strong, and, and I had blurted out how I felt in a meeting that we had convened after meeting with the Mayor and his staff. Now, having said that, I spoke with the director, this evening, of Parks and Recreation, and I shared with him what I shared with you basically. I will not stand by this time coming up and allow them to take from Peter, which is the kids, to pay for Paul, which is other things in government. There is a need for that position and the director has assured me that while we eliminating this position, and I don't want to see it come back now, but I want to see something else, and he's assured me he's going to beef up the personnel and make sure that the programs get the attention that they so desire or so need to be over at "Hicks" Anderson. So I, I do know by eliminating this position it's going to take, it's going to take pulling teeth to put it back in there come the budget time, so I, I, while I said I wasn't, tonight I will, tonight I will, I will go along with this, and, and last but not least, I want us to stop and think for a moment; we both, all of us, both sides, legislative and executive has a responsibility for the people of the City of Wilmington, and we're not going to and we should not have to battle to come to some agreement when we should always be putting the citizens of Wilmington first. Thank you Mr. President.

President Gregory: Mr. Darius Brown, Ms. Walsh.

Ms. Walsh: He can go first.

Mr. D. Brown: You can go ahead Darius. Mr. Brown, rather.

Mr. D. Brown: Thank you Mr. President. As, as we look at the various proposal tonight, I believe that any budget and every budget is a set of values, is a set of values, and when we look at the positions that are being proposed tonight to be cut, it speaks to our values. Here in our city with projected deficits that we know that are before us, it, it, I just question cutting the position that is a position that is designed to generate revenue for our city. In addition to that position, all of us, all of us, whether we running for office, whether we're serving in, in office, part of our platform and the message that we conveyed to the residents in the city of Wilmington, is that we care about our future and we care about our children. There's a, there's a quote that says the eyes of the future are looking back at us, and they're praying for us to see beyond our time, and so, as I look at it, our values tonight, we're cutting a position that serves our future, and I'm not certain if we're looking beyond our time tonight. If these other positions that are being proposed, I, I question why they're not part of our traditional department structure. I know there's some job descriptions with these positions that I believe they're very similar to any existing position within City government in other departments. I'm, I'm not quite satisfied with the, the answers that we received at our Finance Committee meeting. I do understand that there're some resolve that the leadership of Council has had since our Finance Committee meeting, but there's, there's, I have some angst because it's, it's a set of values as we begin this session, how can we continue down this road over the next forty-eight months if we're already circumventing and undercutting our values that we profess to make sure that our city stays afloat without deficit and that we care about our future enough to invest in our children.

President Gregory: Ms. Walsh.

Ms. Walsh: Thank you Mr. President. As you know I wasn't at the Finance meeting. Like Council Member Cabrera can attest that I was there with the TV because I kept texting her comments through the whole meeting. A couple things here; I'm, I'm not happy with any of this that's going on, at all. I think when a person comes in, they look around then they look at stuff, and they want to do what their vision is, and they feel that because they ran for that particular office, they have the right to do, because their message was the one that was received by the voters. So, I get that but when it comes to mayoral people, we've a long history of what has succeeded and what has failed, and in this, I just see a whole lot of chiefs and I don't see so many worker bees. And before we get into the, the social service programs – many of which have failed in the past – we need to remember why we got elected and what our charge is, and it's our police and our fire and our public works, and not the, the sweet and sexy things that, and (inaudible) that we can go to community meetings and say, you know, hey, I didn't vote for that because that fixed the main over on Washington Street; nobody wants to hear that.

They want the soft and cuddly. And then I started looking back at the votes that I've cast in the two separate times that I've been on this Council, and what I did for various mayors. I've worked with four mayors. The first mayor, I probably gave him everything he wanted, because we were friends. It wasn't until about my second year that I started fighting him on things. The second mayor, not so much because he thought I was the enemy, so, you know, if I said this paper was yellow he said it was pink. But I still thought I was very fair in the way that I voted. The third mayor I wasn't here when he started, so I didn't have to make those choices. But in working with him further down the road, even though I had been an ally of his in elections, I didn't like the way he was doing a lot of the things and I didn't like all these supervisors he was bringing in and all these high paying jobs that people in our communities, some of them don't even make these salaries in three years. And so I voted against a lot of his initiatives. And with this, I'm not looking at Mayor Williams as an adversary and anybody out there who thinks I am, you know, kind of stuff it please.

Dennis Williams' and my relationship go way back, and I've had to work with him down the Hall when I've had to lobby bills back there, it's always been a very amicable relationship, but I thought, in fairness, should I give him what he asks the first time. And then I was quite please to see that he was willing to get rid of some of, two of the vacant positions, which is hardly a lot considering we have what, eighty-something; understanding, also, that a quarter of them at least are police, the police department. But, I think when the mayor goes forth from here on in, and especially with the budget coming up, that he really has to stop looking for chiefs and really start making the chiefs that have been, that have been there when he came in and the chiefs that he's appointing, that they start producing. And if they don't produce, then he'd better get rid of them, because we are in real trouble in this city, and I, I think every mayor starts out, no matter who they are, whether I supported them or not, starts out with the greatest of intentions, but sometimes you get caught up in your own wishes, and I hope that doesn't happen with this mayor. I do want to say, watching the Finance Committee, I agree with Darius, that I was not happy and I hope the Mayor's staff doesn't think they're going to be able to get away with those answers in Finance meetings; giving them the benefit of a doubt because they're new, and I'm, one of them I don't believe has ever worked in City government before, but, you know, each time a question that a Councilmember had was answered, it's being answered five different ways the same way, without an answer. So this is, you know, the decisions we make here every, every meeting affect real people's lives. This isn't a chess game that we're playing, and so tonight, I examined my conscious and I decided that this one's a given. I will support the Mayor on this. I will support his initiative. This will be the first and I hope it won't be the last. So, thank you.

President Gregory: Anyone else at this time? Mr. Freel, you want me to go before or after you?

Mr. Freel: That's up to you, Sir. You're the President.

President Gregory: I'll go so you can have the last word.

Mr. Freel: Okay.

President Gregory: As the Mayor of the city, Mayor Williams ran on a platform; he's now designed his 9th floor in a way he thinks would carry out the philosophy and policies of his office. He had to assess what he was working with within a short period of time, and then he's going to execute that. We'll have another four months or five months before we go into another phase where there'll be more assessment and evaluations and the dig deeper and we're going to know the snapshot of where Mayor Williams wants to go. And that's where the heavy, heavy lifting is going to be; it's going to be in the second phase, not in the first phase. I believe that we give Mayor Williams what he needs to execute his mission; that's what he wants, so if it's a success, may God bless the City of Wilmington. If it's a failure, may God bless the city of Wilmington either way. So, I say to you that I'm going to defer to the Mayor because he's the Mayor; I'm the President of City Council, I didn't run for Mayor. So, to the extent that we can balance this out and we've caused some compromise to take place, we've done that. Two positions cut; there're eighty-one, whole lot of heavy lifting down the road. This is small potatoes compared to what we have facing us. So with that, there are some values in the cuts, there's going to be some values in some other cuts, there's going to be some values in a whole lot of stuff around here. But, nonetheless, I'm going to give the Mayor what he wants in this particular case because we need to move forth and get to the second phase, which is the real heavy lifting. Mr. Freel.

Mr. Freel: Thank you Mr. President. I think like most people I was looking forward to the new administration coming in, because, you know, when you have a new group come in, there's a lot of new energy, new initiatives, and, and that's good for the city. But, you know, you always hope that you develop these new ideas using the, you know, 1100+ existing employees you have and you move forward forging new partnerships with other agencies and government entities throughout the state. I know you'd like to have key point people to make sure your initiatives move forward and they get implemented, but I think there are quite a few folks here already. Just off the top of my head, you have a director of policy, chief strategy advisor, you have a whole office of constituent services or office of economic development and, you know, I can't disagree with anything, you know, the Mayor has in his letter to us tonight, it's all good stuff. But I think those folks are more than capable of making those initiatives happen. My bigger concern with the five new positions is really, as we look at the big picture and the fact that we have to, have to deal with probably a six million dollar deficit in Fiscal Year 2014, only in a short time we've seen the towing contract is going to cost us a \$150,000 more than it did last year.

We are reducing the rolling bypasses in the Fire Department; I don't know what the number is going to be on that yet. We had a committee meeting last week where a department head was talking about a new position they're going to need. The Mayor's committed to no tax increases in, in 2014, so, you know, I'm just concerned with how we're going to address this issue and, and basically the only thing that I've gotten so far – and this was mentioned at the committee meeting the other night – is they're going to reduce positions and they're going to cut back in contracts. Well, you know, there's

going to have to be a lot of positions and a lot of cutting back too, to meet that six million dollars. So, as we start the budget process, I am concerned about the message that we are sending to other department heads, employees and taxpayers when we, when we let the Mayor's Office add five new positions, and we're going to be telling them hold the line or, or cut back, so, I appreciate the work that was done to reduce the financial impact at present, but at this time, I still can't support five new positions in the Mayor's Office. So, I thank you for the time to make my comments.

President Gregory: Before we go to the vote, let me just say I want to thank Mr. Freel for being the statesman that he is and his leadership on the Finance Committee. Despite his holding that position, which has been consistent, he still was a part of the process of forging a, a compromise that would be acceptable to a majority of folk on this Council; so he should be commended for staying involved in the process and not taking his marbles and going home, so to speak, despite the fact that at the end of the day, he still had those problems. So, Mr. Freel you could be – I want to thank you for your leadership and your statesmanship in this process. Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, eleven. Nays, Council Members Freel and Wright. Total, two.

President Gregory: Declare it adopted.

Mr. Freel: That's all I have Sir.

President Gregory: Thank you. Okay, hold on. Let me get back on my bicycle. Mr. Mike Brown.

Mr. M. Brown: Yes Mr. President. I have three Resolutions.

Mr. M. Brown presented Resolution No. 13-006 as follows:

**WHEREAS**, The Honorable Dennis P. Williams, while Mayor-Elect, notified the City Clerk Maribel Seijo of his intent to appoint Michael P. Migliore, Esquire, as City Solicitor; and

**WHEREAS**, pursuant to that notice and City Council Rule 8, the Finance Committee of Council on January 14, 2013, held a public hearing on the proposed appointment, following which the Committee adopted a report recommending that City Council vote accordingly; and



**WHEREAS**, following his inauguration, Mayor Dennis P. Williams, pursuant to Wilmington City Charter Section 3-203, submitted to Council for its advice and consent a letter appointing Michael P. Migliore, Esquire, as the City Solicitor of Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the appointment of Michael P. Migliore, Esquire, as the City Solicitor of Wilmington is hereby confirmed.

President Gregory: On the question.

Mr. M. Brown: Yes, Mr. President. It is self-explanatory, the Clerk just read it. I just ask that you go ahead and call for the vote, because it's self-explanatory.

Ms. Walsh: Mr. President, may I make one comment on this please?

President Gregory: Yes, Ms. Walsh.

Ms. Walsh: Now this is one of the positions that should get a major pay bump. I think that when we look at, you know, somebody who hasn't even passed the bar yet gets this number at big law firms and not necessarily good law firms, and I think that if we want to avoid all the outside counsel work that we have relied on over the years, we need to re-examine this entire department and bump their pays, and it's, it's, it's actually kind of ridiculous for the amount that we're paying and expecting to get first-class people working.

President Gregory: When I, when I was on City Council before, I was an ardent advocate for paying the attorneys more money, to attract good attorneys, it's a licensed position, but again, this is first phase. We'll keep that on the table and when we move to second phase, we can talk about those things. I did mention it in the City, in the committee. Clerk, call the roll.

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

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President, I have a Resolution to present.

Mr. M. Brown presented Resolution No. 13-007 as follows:

**WHEREAS**, The Honorable Dennis P. Williams, while Mayor-Elect, notified the City Clerk Maribel Seijo of his intent to appoint Earl T. Jeter, Certified Public Accountant, as City Auditor; and

**WHEREAS**, pursuant to that notice and City Council Rule 8, the Finance Committee of Council on January 14, 2013, held a public hearing on the proposed appointment, following which the Committee adopted a report recommending that City Council vote accordingly; and

**WHEREAS**, following his inauguration, Mayor Dennis P. Williams, pursuant to Wilmington City Charter Section 3-203, submitted to Council for its advice and consent a letter appointing Earl T. Jeter, Certified Public Accountant as the City Auditor.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the appointment of Earl T. Jeter, Certified Public Accountant, as City Auditor of Wilmington is hereby confirmed.

President Gregory: On the question.

Mr. M. Brown: Yes, Mr. President. It's self-explanatory again with this individual, but I also want to bring to note that I have had some relationship with Mr. Jeter. I just, I remembered I needed to state that, but if need to be I will vote my vote if it need to be, but I don't think it needs to be, but I just need to let you know that there was a relationship there with some work that he's done for me.

President Gregory: Mr. Wright.

Mr. Wright: Thank you Mr. President. I believe Mr. Jeter is more than qualified, however, I do have a personal conflict of interest so I will have to vote present tonight.

President Gregory: Thank you. Mr. Jeter could not be here this evening because he's ill. Mr. Migliore was ill yesterday, but he did get here tonight, he did get here tonight so we're going to thank him for that. Clerk will call the roll.

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

Mr. Brown: I have my final....

Mrs. Seijo: Declare it adopted.

President Gregory: Declare it adopted.

Mrs. Seijo: Thank you.

Mr. M. Brown: I'm sorry. Yes Mr. President. I have my third and final Resolution for tonight from Charlie May.

Mr. M. Brown presented Resolution No. 13-008 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending 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 a requirement for Council approval by resolution, and including authorization for expedited grant applications in any situation in which a City office or department is required to file an application or proposal for grant funds prior to the next regular meeting of Council, in which case the application may be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

**WHEREAS**, the City, through the Wilmington Police Department, has sought to obtain grant funding from the State of Delaware State Aid to Local Law Enforcement ("S.A.L.L.E./E.I.D.E.") in the amount of \$69,205.55; and

**WHEREAS**, the said grants will provide funding for Drug Enforcement Investigative Overtime and Cold Case Investigative Overtime; and

**WHEREAS**, the said grants do not require a local match; and

**WHEREAS**, in order to qualify for the grant and receive the funding, the application for said grant had to be submitted in advance of City Council approval by resolution; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grants from the State of Delaware S.A.L.L.E./E.I.D.E. for \$69,205.55 for the aforesaid purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department is hereby authorized to accept grant funding from the State of Delaware S.A.L.L.E./E.I.D.E. in the amount of sixty-nine thousand, two hundred and five dollars and fifty five cents (\$69,205.55).

President Gregory: On the question.

Mr. M. Brown: Yes, Mr. President. I, also be advised, my Council members please be advised that on the back, in the synopsis, and it tells you that there is no, this grant does not require any local match.

President Gregory: Anyone else? Clerk will call the roll.

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh/Mr. Williams, the above aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams,

Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing tonight.

President Gregory: Ms. Walsh.

Ms. Walsh: Communications or legislation?

President Gregory: Legislation.

Ms. Walsh: Sorry legislation. No nothing this evening. Thank you.

President Gregory: Mr. Wright.

Mr. Wright: Mr. President, nothing tonight. Thank you.

President Gregory: Mr. Congo asked to be - - for leave. We're going to go to petitions and communications at this time.

### PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, community events, and also expressed birthday wishes to families in their district. In addition, Council Members expressed their appreciations to several different city departments, city employees as well as to the citizens of the City of Wilmington. Furthermore, concerns were expressed of process and the need to be more sensitive to common courtesy. It was expressed that Council is going to be inclusive and communicate with one another.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Williams/Mr. Freel/Ms. Shabazz, Council adjourned at 7:50 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk