

*Baby Grand  
818 Market Street  
Wilmington, Delaware  
January 8, 2013*

### **INAUGURATION/ORGANIZATIONAL MEETING**

The meeting was called to order by Mrs. Maribel Seijo, Clerk of Council at 8:00 p.m.

The invocation was given by Reverend Aaron Moore of Manna Christian Fellowship Church.

The National Anthem was sung by the Police Athletic League Choir of Wilmington Youth Choir under the direction of Mr. Kenneth Jackson.

The Pledge of Allegiance was recited.

The City Clerk appointed Mr. D. Brown, Ms. Cabrera, Mr. Chukwuocha, and Ms. Dorsey Walker to escort the Honorable Family Court Associate Judge William L. Chapman, Jr. into the room.

The City Clerk read the Certificate of Election of the President, Theopalis K. Gregory, Sr.

### **CERTIFICATE OF ELECTION**

State of Delaware Department of Elections for New Castle County, be it remembered that at the General Election held on the first Tuesday next after the first Monday in November, in the year Two Thousand and Twelve for the City of Wilmington, according to the laws of the State of Delaware, this Department hereby certifies the following to be the true result of the aforesaid election:

Elected President of City Council  
THEOPALIS GREGORY, SR.

/s/Anthony J. Albence  
Director

/s/Howard G. Sholl, Jr.  
Deputy Director

After reading said Certificate, the Oath of Office was administered to Mr. Theopalis K. Gregory, Sr. by Judge William L. Chapman, Jr.

The City Clerk read the Certificate of Election of the City Council:

**CERTIFICATE OF ELECTION**

State of Delaware Department of Elections for New Castle County, be it remembered that at the General Election held on the first Tuesday next after the first Monday in November, in the year Two Thousand and Twelve for the City of Wilmington, according to the laws of the State of Delaware, this Department hereby certifies the following to be the true result of the aforesaid election:

Elected 1<sup>st</sup> District, Nnamdi O. Chukwuocha

Elected 2<sup>nd</sup> District, Ernest M. Congo, II

Elected 3<sup>rd</sup> District, Darius J. Brown

Elected 4<sup>th</sup> District, Hanifa Shabazz

Elected 5<sup>th</sup> District, Samuel Prado

Elected 6<sup>th</sup> District, Sherry Dorsey Walker

Elected 7<sup>th</sup> District, Robert A. Williams

Elected 8<sup>th</sup> District, Charles M. Freel

At-Large, Michael A. Brown, Sr., Maria D. Cabrera, Loretta Walsh and Justen Wright.

/s/Anthony L. Albence  
Administrative Director

/s/Howard G. Sholl, Jr.  
Deputy Administrative Director

Upon a motion of Mr. Wright, seconded by Mr. R. Williams, the aforementioned certificates were received, recorded and filed, and the thirteen names of City Council were placed on the temporary roll. Motion prevailed.

Upon a motion of Ms. Cabrera, seconded by Ms. Dorsey Walker, the 105<sup>th</sup> Session Rules were approved as temporary rules. Motion prevailed.

President Gregory appointed Ms. Walsh, Mr. M. Brown and Mr. Freel as the Credentials Committee.

The City Clerk read the report of the Credentials Committee.

January 8, 2013

The Honorable President and Member  
Of Wilmington City Council

Ladies and Gentlemen:

We, your Credentials Committee, have examined the Credentials of the Members-Elect of City Council and find that the several members-elect are fully qualified and entitled by law to assume their position as members of City Council.

Theopalis K. Gregory, Sr.	President of City Council
Nnamdi O. Chukwuocha	1 <sup>st</sup> Councilmanic District
Ernest "Trippi" Congo, II	2 <sup>nd</sup> Councilmanic District
Darius J. Brown	3 <sup>rd</sup> Councilmanic District
Hanifa G.N. Shabazz	4 <sup>th</sup> Councilmanic District
Samuel Prado	5 <sup>th</sup> Councilmanic District
Sherry Dorsey Walker	6 <sup>th</sup> Councilmanic District
Robert A. Williams	7 <sup>th</sup> Councilmanic District
Charles M. Freel	8 <sup>th</sup> Councilmanic District
Michael A. Brown, Sr.	At-Large
Maria D. Cabrera	At-Large
Loretta Walsh	At-Large
Justen A. Wright	At-Large

Respectfully submitted,  
/s/Loretta Walsh  
/s/Michael A. Brown, Sr.  
/s/Charles M. Freel  
Credentials Committee

Upon a motion of Ms. Shabazz, seconded by Mr. Prado, the Credentials Committee report was accepted. Motion prevailed.

After reading said Credentials Committee Report, the Oath of Office was administered to the Members of Council by Judge William L. Chapman, Jr.

The City Clerk read the Certificate of Election of the City Treasurer, Henry W. Supinski.

### CERTIFICATE OF ELECTION

State of Delaware Department of Elections for New Castle County, be it remembered that at the General Election held on the first Tuesday next after the first Monday in November, in the year Two Thousand and Twelve for the City of Wilmington, according to the laws of the State of Delaware, this Department hereby certifies the following to be the true result of the aforesaid election:

Elected City Treasurer  
Henry W. Supinski

/s/Anthony J. Albence  
Director

/s/Howard G. Sholl, Jr.  
Deputy Director

After reading said Certificate of Election, the Oath of Office was administered to Mr. Henry W. Supinski by Judge William L. Chapman, Jr.

President Gregory appointed Council Members Wright, Chukwuocha, Dorsey Walker and R. Williams to escort Mayor Dennis P. Williams into the room. Mayor Williams was sworn-in earlier in the day at Eastside Charter School.

### **LEGISLATIVE BUSINESS**

Ms. Shabazz presented **Resolution No. 13-001** to adopt Council Rules for 106<sup>th</sup> Session as follows:

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall determine its own rules and order of business; and

**WHEREAS**, Council deems it advisable to adopt its permanent rules, the proposed rules attached hereto.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the proposed 2013 Rules attached hereto and made a part hereof, are adopted as the Rules of City Council.

Upon a motion of Ms. Shabazz, seconded by Mr. Prado, 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 Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, R. Williams, Freel, Brown, Cabrera, Walsh, and Council President Gregory. Total, twelve. Nays, none. Present, Council Member Wright. Total, one.

Mr. M. Brown presented **Resolution No. 13-002** to appoint Council staff as follows:

**WHEREAS**, the Council of the City of Wilmington is authorized by the Wilmington Home Rule Charter in Section 2-104 to select its Officers at the organizational Council meeting to be held on the first Tuesday after the first Monday in January next succeeding the election of Council Members; and

**WHEREAS**, City Council is holding its organizational meeting on Tuesday, January 8, 2013 at 8:00 p.m., for the next terms of office of its members; and

**WHEREAS**, Council deems it desirable to retain certain individuals who shall serve at the pleasure of the City Council President.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the following Officers of the City Council be placed on the payroll of the City of Wilmington in the Office of the City Clerk:

- |     |                    |  |
|-----|--------------------|--|
| 1.  | Romain Alexander   | Chief of Staff                                   |
| 2.  | Maribel Seijo      | City Clerk                                       |
| 3.  | Tanya Washington   | Legislative Director                             |
| 4.  | John Rago          | Director of Communication and Policy Development |
| 5.  | Edythe Pridgen     | Legislative Analyst                              |
| 6.  | Joe Garcia         | Legislative Analyst/Bailiff                      |
| 7.  | Marchelle Basnight | Deputy Chief of Staff                            |
| 8.  | Traci Owens        | Administrative Assistant/Deputy City Clerk       |
| 9.  | David Nordheimer   | WITN/Station Manager                             |
| 10. | Sheila Friedman    | Senior Producer/Director                         |
| 11. | Paul Kennard       | Senior Producer/Director                         |
| 12. | Vacant             | Producer/Director                                |
| 13. | Paul Colsey        | Producer/Director                                |
| 14. | Shannan Harris     | Producer/Director                                |
| 15. | Yesenia Taveras    | Producer/Director                                |
| 16. | Lorener Wooten     | Traffic & Web Content Coordinator                |

**FURTHER RESOLVED** that the City Clerk is hereby directed to forward copies of this resolution to the Director of Human Resources, the City Treasurer, and the City Auditor as their authority in the premises.

Upon a motion of Mr. Brown, seconded by Ms. Walsh, 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 Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, R. Williams, Freel, Brown, Cabrera, Walsh, and Council President Gregory. Total, twelve. Nays, none. Present, Council Member Wright. Total, one.

Mr. M. Brown presented **Resolution No. 13-003**, to appoint President Pro Tempore as follows:

**WHEREAS**, the Council of the City of Wilmington is authorized by Section 2-104 of the Wilmington Home Rule Charter to elect from among its members a President Pro Tempore to act in the event of the absence or disability of the President.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Loretta Walsh is hereby elected as President Pro Tempore of the Council of the City of Wilmington.

Upon a motion of Mr. M. Brown, seconded by Mr. D. Brown, 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 Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, R. Williams, Freel, Brown, Cabrera, Wright, and Council President Gregory. Total, twelve. Nays, none. Present, Council Member Walsh. Total, one.

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

AN ORDINANCE CONSTITUTING 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

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

President Gregory announced the Chairs of the following Standing Committees:

**Community and Economic Development Committee: Loretta Walsh, Chair.**

**Education, Youth & Families Committee: Ernest "Trippi" Congo, II, Chair**

**Finance Committee: Charles M. "Bud" Freel, Chair**

**Health, Aging & Disabilities Committee: Robert A. Williams, Chair**

**Housing/Licenses & Inspections Committee: Samuel Prado, Chair**

**Public Safety Committee: Michael A. Brown, Sr., Chair**

**Public Works/Transportation Committee: Hanifa G.N. Shabazz, Chair**

**Wilmington Cable, Video and Telecommunications Commission: Theopalis K. Gregory, Sr., Chair with members being Michael A. Brown, Sr., Maria D. Cabrera, and Sherry Dorsey Walker**

President Gregory, President Pro Tempore Walsh and all members of City Council as well as City Treasurer Henry W. Supinski made statements of appreciation. They recognized their family members and thanked everyone for their support.

President Gregory announced that Mayor Dennis P. Williams would now present his inaugural address.

## 2013 INAUGURAL ADDRESS

Good evening ladies and gentlemen, this is a great day...boy it's hot on this stage. Mr. President, next time turn the air conditioner on up here. Let me say to you ladies and gentlemen, it's a great day; it's a new day. I'm 60 years old today, it's my birthday. This morning at Eastside Charter School I was sworn-in as the 55<sup>th</sup> Mayor of the City of Wilmington Delaware. Well, once I was sworn-in I inherited budget deficits, crime, union contracts, unemployment, sixty percent high school drop outs rates, AIDS epidemic, law suits facing me (new ones coming – picked up two more today), dirty streets, pot holes, and many other problems. But let me say to you ladies and gentlemen, we've put together a team that can handle the problems. Yesterday is gone and tomorrow is ours. We're not going to look at the past; we're not going to cry foul; we're going to get out, roll our sleeves up and do our job because this is what I took on to do.

I didn't come down here to blame anyone. My position is this; I knew what I was getting when I ran for office as my wife told me, "You know what you're getting into". Before I go any further, my wife of 38 years, Shane, thank you. To my three lovely daughters, Shanda, Amanda, she's not here but Lauren; Amanda was with us this morning, thank you. This morning we had a great time at Eastside Charter. We had so many kids there; so many folks that came out this morning, and we had a great time and we really, really took to the house. Pastor Beaman I see you sitting there Sir. This is my Pastor and I want to recognize Silvester Scott Beaman, Bethel AME.

We have many areas that we're going to go into. Number one would be crime. We campaigned on the crime issue in the City of Wilmington. Ninety-eight percent of the residents talked about that was the number issue for them. Almost ninety-seven percent of our businesses talked about crime in this city. We will fight crime with a vigor, ladies and gentlemen and I meant what I said, I'm not hugging thugs; we will go after violent offenders with everything that we have; we will reform the Wilmington Police Department; we will aggressively target violent areas; we will aggressively target violent offenders; we will improve police community relations. We have a gun problem in this city, which is beyond reproach; we have a homicide rate in this city, which is beyond reproach. A city with a 9.5 mile geographical area, it is totally, totally ridiculous for the crime problems to be the way it is for a city to be so small. The Williams' Administration, you give us about six to seven months, you're going to see a dent in this. We're going to come out in full force. You give us two years; you won't even think it's the same city.

We will work very diligently for folks who want to put their guns down and turn their life around. We will give them an opportunity to come home because they are our customers; they still live in the City of Wilmington. We have to help folks who don't want to commit crimes, get them back into GED programs, get businesses who come to our city to train these folks and put these folks to work but if these folks do not want to comply, we will arrest them; we will go after them; we will get these guns off these streets

because citizens who resides in this city should not be held captive; they shouldn't feel unsafe; they shouldn't feel that their kids can't go to the swimming pool; they shouldn't feel that their kids can't go to the playground; our senior citizens should be able to sit on their steps and read newspapers, they shouldn't have to run home from the bus stop and if I don't clean this up, I don't need this seat.

We will review the way we spend our money to the very last dime. We will look at every contract, we will dissect it. Any contract where we find duplication, the one that is performing the best will stay. The one that's not performing will be eliminated. We will also look at contracts that have been around numerous years. We will look at some of the things that have been privatized, we will bring them back in house – we will save money. The Williams' Administration doesn't have to give contracts out because we don't owe anybody and favors. We will look at everything we possibly can to get our budget back in order to stop the hemorrhaging of your tax dollars. We're to a point in this city that if we don't get things together and get things changed, we are going to be in a lot of trouble. I will be facing a 4.5 million dollar deficit, which we plan to go after with vigor. We will cut, we will eliminate again contracts, waste; we will not have numerous vendors doing the same thing that one vendor can do; we will eliminate contracts where we have out of state people doing our booting, which we have people in this city that can do that job; we are not going to tax our citizens to the point where they lose their residences where we have corporations owing us millions of dollars.

This Administration will be open, fair, honest, and we want to be a team player. We want to work with everyone. We want to work with City Council. We want to work with them side by side to get this city turned around. We will work with the General Assembly where I still have a lot of friends and a great reputation - where I can go down and not ask the Governor for an appointment. I can go down and get funding for our city because they know it's going to be spent properly in the right way for things to be done properly in our city.

I have great respect in Washington, D.C. and one of the things I do understand is the budget process in the State of Delaware. I do understand the Joint Finance; I understand the Bond Bill; I understand Grant in Aid. No one has to come to me and give me a budget and tell me where something is, I already know where it is. I know where all the pots of money are so no one can pull a shell game on Dennis P. Williams, the Mayor of City of Wilmington. We will take our Parks and Recreation Department and we will implement new programs. We've hired young folks. We've hired Shawn Allen, a young man who's involved in the YES Program. He's been dealing with adjudicated children who's involved with firearms. We have to change the concept the way we use the Parks and Recreation. It's not a basketball league anymore – someone running up and down the court with a football or basketball. It's about going in and tutoring children; turning children's lives around; putting them in a tutorial program; getting them involved in things in their community; getting them involved in job training; and letting them understand that carrying a firearm is nothing but sudden death or going to prison. These

are the things now that we're going to be doing with our youth; we're going to reach out to them; opening the swimming pools two weeks prior to the schools closing instead of waiting two weeks after they come out and people saying how you're going to do this. Stop making excuses for finding money to do something with youth. Stop making excuses for doing something to do something with youth. We got to stop it. People keep talking you don't have the money. Well you always have it to build prisons. People talk about that. We will work diligently again with our federal delegation. These are folks we're going to need to turn this city around also. We're going to have to reach out, it's going to have to be a multi-team player, and I say to the City Council President, and the City Council folks sitting here tonight, my door is always open. I am not up on a pedestal, I am not a God, I am a mortal man, who was elected by God and the people of the City of Wilmington and Wilmington. I want to work with you; each and every one of you and I think 99.9% of us all are of the same party. There is no reason why we can't get anything done. You liked that didn't you?

But ladies and gentlemen, in closing, I want to say, Wilmington is a great city. We can do this. We can get out of this deficit; we can get out of this rut; we can stop the crime; we cannot let the media define our city. We cannot let people who don't reside in this city define our city. Wilmington is still a good city. People can come into this city - - we now have all types of entertainment, movie theaters, The Grand Opera House, all kinds of other cultural arts, the Jazz concert, and many more other things are going to come. But we have to hold our heads up high as citizens of this city and respect one another. When you see trash in front of your house, don't step over it, pick it up. When you know the young man down the street is not going to school, don't keep avoiding it call the parent. If you think the parent may argue with you, write a note, slip it in the door. If you see someone commit a crime, you don't have to go down there and tell the police you saw it, make a phone call. Go to a phone booth so the number won't be traced back. Tell them what you saw and say you don't want to get involved because if you continue to turn your head on crime and other major issues that's going on in our city, we are going to have the same continuous problems. God Bless you all. Thank you.

Council President Theopalis K. Gregory, Sr. presented gift to Judge William L. Chapman, Jr.

Benediction was given by Reverend Aaron R. Moore.

Upon a motion of Ms. Walsh and duly seconded, Council adjourned at approximately 9:35 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*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	
Theopais 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	
Theopalis 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	\$ <u>51,439.34</u>
	Total Cash on Hand		\$ <b>817,180.88</b>

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						\$ 817,180.88
	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, Freel, 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 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

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

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

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 a 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  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
February 7, 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 January 17, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

### TREASURER'S REPORT

The following Treasurer's Report dated February 7, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, the Report was received, recorded and filed. Motion prevailed.

#### **TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON February 7, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 2,944.71
106	Fire Pension Account	M & T Bank	\$ 2,911.23
107	Evidence/Found Currency Account	M & T Bank	\$ 64,865.36
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 213,145.55
113	Non-Uniform Pension	M & T Bank	\$ 18,291.70
114	Central Deposit	M & T Bank	\$ 41,505.69
117	Cement Workers	Wilmington Savings Fund	\$ 33,328.12
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 10,610.13
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,395.67
130	Payroll	M & T Bank	\$ 210,292.54
131	Pension Payroll Account	M & T Bank	\$ 37,980.20
139	Pension Healthcare Account	M & T Bank	\$ <u>39,383.67</u>
	Total Cash on Hand		\$ <b>683,865.76</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	02/07/13	0.25%	\$ 55.11	\$ 8,045,492.00
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>2</sup>	TD	CD	02/22/13	0.25%	\$ 161.12	\$ 840,107.57
110	Capital <sup>3</sup>	TD	CD	02/25/13	0.25%	\$ 791.20	\$ 1,540,195.00
106	Fire Pension	WSFS	CD	02/28/13	0.30%	\$ 43.73	\$ 190,000.00
124	Non-Uniform 1990	WSFS	CD	02/28/13	0.30%	\$ 975.78	\$ 4,240,000.00
105	Police Pension	WSFS	CD	02/28/13	0.30%	\$ 131.18	\$ 570,000.00
116	General	WSFS	CD	03/08/13	0.30%	\$ 690.41	\$ 2,000,000.00
116	General	WSFS	CD	03/22/13	0.30%	\$ 871.23	\$ 2,000,000.00
110	Capital	WSFS	CD	04/04/13	0.30%	\$ 1,134.24	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,464,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
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.					\$ 32,410,523.00
	Total Investments						\$ 291,067,276.61
	Total Cash on Hand						\$ 683,865.76
	Grand Total						\$ 291,751,142.37

<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 Ms. Walsh, seconded by Mr. Freel, the following non-legislative resolutions were accepted into the record:

All Council	Recognize the 1973 Howard High School Basketball Champions
D. Brown	Recognize the Wilmington One Million Hearts Coalition
D. Brown	Sympathy Kenneth "Kenny" Monroe, Jr.
M. Brown	Sympathy Wilhelmena "Missy" Holmes
M. Brown	Sympathy Deacon Arnold Lee Williams
Chukwuocha	Sympathy Judge Murray M. Schwartz
Shabazz	Congratulate Central Baptist Church – 70 Years of Service
Walsh	Commemorate and Recognize The Late Wilmington Police Officer Charles W. Schultz
Wright	Congratulate Pastor James Odell White and Mother Ernestine White – 50 <sup>th</sup> Wedding Anniversary
Wright	Congratulate Delaware State Police Superintendent Nathaniel McQueen, Jr.
Wright	Congratulate the 5 <sup>th</sup> Grade Wilmington Soldiers Football National Champions

## LEGISLATIVE BUSINESS

President Gregory: Legislative business, Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you Sir.

President Gregory: Mr. Congo.

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

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-009 as follows:

**WHEREAS**, the 106<sup>th</sup> Session of Wilmington City Council recognizes Small businesses are not only the engine of our economy, but they are also the backbone of many local communities; and

**WHEREAS**, Wilmington City Council believes the Small Business Administration (SBA), Historically Underserved Business Zones (HUBZone) Program improves the quality of life for millions of Americans by helping breathe new life into areas that have historically struggled to compete economically; and

**WHEREAS**, in 1997, Congress passed the Small Business Administration Reauthorization Act (Public Law 105-135), which included provisions designed to promote economic development and employment opportunities in metropolitan or rural areas with low income, high poverty rates, and/or high unemployment rates. Title VI of the Act established the Historically Underutilized Business Zone (HUBZone) program to target federal contracts to small businesses that are located in these areas; and

**WHEREAS**, a SBA HUBZone is defined as and must meet the eligibility criteria as follows:

- Must be a small business by SBA standards;
- Must be owned and controlled at least 51% by U.S. citizens, or a Community Development Corporation, an agricultural cooperative, or an Indian tribe;
- Principal office must be located within a “Historically Underutilized Business Zone,” which includes lands considered “Indian Country” and military facilities closed by the Base Realignment and Closure Act; and
- At least 35% of its employees must reside in a HUBZone; and

**WHEREAS**, the Historically Underserved Business Zones (HUBZone) Program helps small businesses in urban and rural communities gain preferential access to federal procurement opportunities. These preferences go to small businesses that obtain HUBZone certification. The program encourages economic development in historically underutilized business zones; and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the 106<sup>th</sup> Session of Wilmington City Council supports the – SMALL BUSINESS ADMINISTRATION (SBA), HISTORICALLY UNDERSERVED BUSINESS ZONES (HUBZONE) PROGRAM.

**BE IT FURTHER RESOLVED** that the Wilmington City Council encourages United States Small Business Administration certified companies to locate in designated HUBZones within the City of Wilmington.

Mr. D. Brown: Yes, Mr. President. The SBA HUBZone, the HUBZone is a federal program run by the United States Small Business Administration. HUBZone is an acronym for the Historically Underutilized Business Zones. Provided to Council members is a map of the SBA-identified HUB zones within the City of Wilmington. With the success of the previous Administration and the previous work in the 105th Session of Council and in this session, the 106th Session of Council, the 3rd District will be the first district in the city to have a HUBZone company moving into the city. I believe that this program is a great federal program to support economic development in urban centers, and this Resolution is simply encouraging this to be utilized in the future within the city to bring more businesses to the city of Wilmington. The HUBZone program, in its effort to work in and revitalized urban centers, the program also incentivizes employers by, with a 10 percent preferential point system on their application to the SBA. And also with that, these businesses commit to making sure that their employees, 35 percent of their employees, reside from the HUB Zone areas

Mr. Prado: Mr. President?

President Gregory: Mr. Prado.

Mr. Prado: Thank you. I thought the legislation was good, but I did have a question though. Looking at some of the neighborhoods, there are some businesses that we don't want to see more of in Wilmington and, you know, there's, for example, in the Hill we have way too many liquor stores and Chinese restaurants and, and places that, unfortunately, can sometimes be a magnet for, for trouble. So, I just want to know in this, in this program, is that, has taken into account or it's just any business or, or certain businesses that they encourage and some that they don't. I don't know if the sponsor knew . . .

President Gregory: Mr. Brown?

Mr. D. Brown: Yes, Mr. President, the SBA HUBZone program is a federal-certified contractor program. So, these businesses are not Chinese stores or liquor stores; these are small businesses that contract with the Federal Government to provide certain services to the Federal Government.

Mr. Prado: Oh, okay.

President Gregory: Anyone else?

Ms. Walsh: I, I did.

President Gregory: Ms. Walsh.

Ms. Walsh: I just think that, that one thing that the sponsor failed to say is, also, Council Member Brown, that there's some pretty heavy tax credits to these investors, too, so this is a wonderful program for districts to get involved in, and I think it's, it's really fabulous that Council Member Brown's district is going to be the first one because it certainly does need quite a bit of help.

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

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh/Mr. Freel, 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.

President Gregory: Anything else Mr. Brown?

Mr. D. Brown: Nothing else tonight Mr. President.

President Gregory: Declare it adopted.

Mrs. Seijo: Thank you.

President Gregory: Ms. Shabazz.

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, Council dissolved into the Committee of the Whole for purpose of holding a public hearing. Motion prevailed.

**PUBLIC HEARING**  
**AMEND CHAPTER 48 OF THE CITY CODE REGARDING DESIGN REVIEW**  
**AND PRESERVATION COMMISSION (SUB. 1 TO ORD. 12-060)**

The City Clerk read the Affidavit of Publication. Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the Affidavit of Publication was made a part of the record and is on file in the City Clerk's Office. Motion prevailed.

The City Clerk read the Planning Commission Report. Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the Planning Commission Report was made a part of the record and is on file in the City Clerk's Office. Motion prevailed.

President Gregory: I want the Planning Department representative to come forth with their report at this point in time.

**Department of Planning Representative:**

Good evening, Mr. Council President and Council Members. Thank you for letting me speak this evening. I will give you about 90 seconds worth of background on this particular matter and that will, hopefully, move it along. In August of 2012, liberal concerns had been expressed regarding the membership of boards and commissions in general in the City, and the Law Department contacted the Planning Department – specifically, regarding the Design Review and Preservation Commission – asking whether there was any duplication of membership of our members on other boards, and at that time, we did have one member who was also sitting on the New Castle County Historic Review Board. Law deemed this dual service violated the provision that was set forth under the current City Code – Section 48-145 – which regards the composition of DRPC specifically, to wit: “The Commission consists of seven members, one ex officio member of the City Planning Commission or his designee, and six persons who shall hold no other public office, but shall have backgrounds . . .,” and then it enumerates the backgrounds. And it was because of the phrasing “shall hold no other public office” that Law determined there was a problem. Because we did not wish to lose the particular person who sat on both boards, because of his expertise, we made an attempt to rectify the situation by a simple modification of the language, to wit: “The Commission consists of seven members, one ex officio member of the City Planning Commission or his designee, and six persons, five of whom shall hold no other public office.” And we thought this would be adequate to resolve the problem. We took this to, before the Planning Commission in October and the Planning Commission embraced this solution; however, when we ran the same language past the Design Review and

Preservation Commission, suddenly one of the other members said, "But what about me?" because he was serving as an appointee of the Governor on the State Board of Architects, so we realized this was a problem. DRPC tabled it at their meeting and requested that Planning and Law put their heads together again and come up with something different.

The Law Department did further research and chose to borrow an example from the city of Philadelphia and change the wording in our Code by eliminating the phrase "shall hold no other public office," and instead, substituting the phrase "shall not be a City officer or employee." The presumption was that this would take care of any concerns of potential conflicts of interest. Additionally, after conversations with the Planning Department, it was acknowledged that there might be times when, because of the small pools of expertise in various fields due to the size of our state and our city population where it might be necessary to call upon a City employee or City officer to provide the Code-mandated expertise in a certain matter. Examples of this instance might be the need for archaeologists or for a federally-certified architectural historian, both of which we have on the Planning Department staff. Most everyone within any of the professional fields in Delaware knows you've been tapped for service on at least one board or commission at one time or another and volunteer service on two or more boards is not an unusual thing. Accordingly, with these considerations Staff went back and produced the following change in wording to Section 48-415, hopefully as a solution to the matter, so that it now, what is before you, reads: "The Commission consists of seven members, one ex officio member of the City Planning Commission or his alternate, and six persons, four of whom shall not be a City officer or City employee, but who shall have backgrounds in any or all of architectural planning, urban design, real estate, construction, environmental systems, history, fine arts, or any other pertinent disciplines." And we hope that this language will give us the sufficient regulation that we need without being too onerous and without leaving out potential candidates. Thank you.

President Gregory: Since we're establishing a record, could you give us your name and the position that you hold with the City, please?

Ms. Maley: Yes sir, I apologize. I'm Patricia Maley, and I'm the Senior Planner for Design and Review and I'm also the DRPC Commission Coordinator.

President Gregory: Thank you very much. At this time we're going to entertain speakers for or against this particular Ordinance. At this time only go for, if there's anyone for and then we'll go with anyone who's against it. Mr. Davis.

#### **FOR/AGAINST**

Mr. Davis: Yes, good evening. My name is Dwight L. Davis and I would like to speak against this particular Resolution, and the reason that I'm speaking against this Resolution is because I believe that the City's boards and commissions, there're various conflicts of interest and not only conflicts of interest where you're serving on other State, County or local municipality's boards, but where you serve on non-profit organization boards, which are developers and those that are pursuing these types of, of, of changes in the development of the city, and the - - I spoke to a member of one of the

other design and review, I think it's the historical board, and the laws that you make here impact the citizens. So I think that there, that, that the City should develop citizen boards where it's the citizens, not elected officials, not appointed officials, but entirely made up of citizens and I've said this several times as it pertains to the Zoning Board of Adjustment, which is made up, I know we're speaking to this particular Ordinance but, Resolution, but the Zoning Board of Adjustment, where it's the City elected and/or appointed individuals that sit on this, this Board. Now, I've come before Council and I suggested that the State statute permits a five-person citizen board where there are no undue, unduly influences. For an example, if, you know, the Administration decides that they want something to, you know, to, to pass, then you have people that are your subordinates there that will make it pass. But if there are citizens only, the State is, is a good example of that, the Public Service Commission. These are public service boards and commissions and I just think that only citizens should be seated on these boards and I'm sure that we can find citizens without conflicts of interest that have the necessary backgrounds and expertise to fill these positions. Thank you.

President Gregory: Is anyone else for? Is there anyone against? Ms. Shabazz, you want to offer a comment at this time or wait 'til we return to the regular order of business?

Ms. Shabazz: I can wait 'til then.

President Gregory: Okay. At this time we'll entertain that motion.

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, Council returned to Regular Order of Business. Motion prevailed.

**REGULAR ORDER OF BUSINESS**

Ms. Shabazz presented the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Samuel Prado	x		
Darius J. Brown	x		
Maria D. Cabrera		x	
Nnamdi O. Chukwuocha	x		
Hanifa G.N. Shabazz	x		
Sherry Dorsey Walker	x		
Theopalis K. Gregory, Sr.			

February 6, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Housing, Licenses & Inspections Committee, to who was referred  
**Substitute No. 1 to Ordinance No. 12-060** entitled:

AMEND CHAPTER 48 OF THE CITY CODE REGARDING THE  
COMPOSITION OF THE DESIGN REVIEW AND PRESERVATION  
COMMISSION

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

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Samuel Prado  
/s/Darius J. Brown  
/s/Nnamdi O. Chukwuocha  
/s/Hanifa Shabazz  
/s/Sherry Dorsey Walker

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

President Gregory: Are there any findings?

Mrs. Seijo: No, at this time. Thank you.

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

Ms. Shabazz presented and called for the third and final reading Ordinance  
No. 12-060 entitled:

AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY  
CODE REGARDING THE COMPOSITION OF THE DESIGN  
REVIEW AND PRESERVATION COMMISSION

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

AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY  
CODE REGARDING THE COMPOSITION OF THE DESIGN  
REVIEW AND PRESERVATION COMMISSION

Ms. Shabazz: Mr. President, this Substitute Ordinance amends Chapter 48 of the Wilmington City Code by removing the restrictions that none of the six appointed members of the Design Review and Preservation Commission shall hold other public office and adding the restriction that four of the appointed members shall not be an officer or employee of the City of Wilmington. Mr. President, I think with the amendment that we have made I think we are ensuring that the members of this Commission are not employees of the City of Wilmington or hold a public office and therefore they are our, just general citizens that serve on this Preservation Board. We know that Wilmington is a very small organization, I mean, a small city, and a lot, a cross-pollination in population of organizations happen all the time and if we want us to get the kind of expertise we need this sometimes happens, but I think this amendment, by ensuring that they, four of those members are not City of Wilmington officers or employees of the City, you have strong representations of professional citizens with the expertise that's necessary to run this Commission.

President Gregory: Any other comments?

Mr. M. Brown: I do.

President Gregory: Mr. Brown.

Mr. M. Brown: I, I want to ask a question if I may. If you went, if you went to four, if you went to four, thank you, sir, why didn't you just go ahead and say all of them? That's a question.

Ms. Shabazz: Oh, why didn't they say all of them?

President Gregory: Mr. Brown.

Mr. M. Brown: Mr. President, yeah, that's the question.

President Gregory: That's the question.

Ms. Shabazz: Well, I understand, again, I think my, my point of making that of how small Wilmington is, in trying to get the kind of expertise with all the areas that we said, then it should, be sure that we have been able to identify individuals that fit the criteria that we need that we gave a little lead way, so, everybody, going down to at least four; one of them an ex officio member and then at least two members that possibly could fall into that category, and, but the majority of the individuals on this Board are those who fit into that category. I'd also like to make sure that it's also noted that these individuals are appointed by the Mayor.

Mr. M. Brown: That's where I'm, Mr. President, that's where I'm kind of, I'm kind of stuck between a rock and hard place... (technical issues) ...we, we have to, that's where I'm kind of stuck between a rock and a hard place, Mr. President. We, we have to... (technical issues) ... apologize. We, we, as I look at this and, and, and I, I

heard what the speaker who came up said, and, and I know what the legislation is saying, what this is saying. But, but, you can go ahead and call the roll because I'm not going to get anywhere with it, I'm not going to try to hold the floor up on it, try to put my point out there, so . . .

President Gregory: Ms. Walsh.

Ms. Walsh: I, I think a point is also for all those boards and commissions cause, I was getting really scared when Dwight was speaking cause I was agreeing with him but not about this Board, about ZBA and Planning Commission, and, but I think if you had one person who knows something about the City, then to keep the city, the hearings moving then there is some history as to how things work on these boards and commissions.

President Gregory: In my opinion Mr. Davis's argument or position had merit, but unfortunately, and I guess fortunately in some ways, we live in a small city in a small county in a small state, and as indicated there is cross-pollination with respect to boards and commissions. We do our best to put a wall and not to have those conflicts but transparency tends to cure or fix those problems. So I, I think it's a good Ordinance, we have to move forward, we do, you do need people on boards and commissions that do have expertise and sometimes that expertise is, it can't be found everywhere and everybody doesn't want to volunteer, cause these are volunteer efforts. So, I think that while your argument, Mr. Davis, has merit, I think that there's some complex, some compelling reasons why we should move forward. Ms., Ms., Mr. Wright.

Mr. Wright: Thank you Mr. President. I, I think also it should be noted for the viewing audience and those that may be here that I believe, if I don't stand to be corrected, that Mayor Baker selected these individuals and not Mayor Williams. So, there's been a transition as far as our Administration, so if there was tie to the previous Administration it doesn't necessarily mean that it's with the current.

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

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the above aforementioned Substitute 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented and called for the first and second reading  
Ordinance No. 13-002 entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY  
CODE BY AMENDING SECTION 37-226, AS AMENDED,  
TO ENACT CERTAIN TRAFFIC AND PARKING  
REGULATIONS CONCERNING SPECIAL RESIDENTIAL  
PARKING DISTRICTS IN AND AROUND JUSTISON  
LANDING

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

Ms. Shabazz: That's all for tonight.

President Gregory: Mr. Prado.

Mr. Prado: No legislation Mr. President. Thank you.

President Gregory: Dorsey Walker

Ms. Dorsey Walker: No legislation Mr. President.

President Gregory: Ms. Dorsey Walker, my apologize.

Ms. Dorsey Walker: It's okay Mr. President.

President Gregory: Mr. Williams.

Mr. Williams: No legislation tonight.

President Gregory: Mr. Freel.

Mr. Freel: Nothing, thank you.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President, nothing tonight. Thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening.

President Gregory: Ms. Walsh.

Ms. Walsh: Not this evening. Thanks.

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

President Gregory: Okay and we're going to go to our petitions and communications at this time.

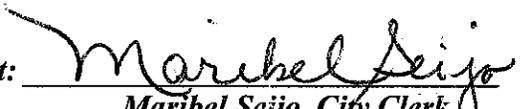
### PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, community events, and also expressed birthday wishes and condolences to families in their district. In addition, condolences were expressed to the family of Barry Hester Scott (city employee). Council Members spoke of the crime issues going on throughout the city. In addition, Council Members expressed their appreciations to all the men and women in the Wilmington Police Department who put their lives on the line every single day and commended them for all the work they do. With that said, Council Members expressed their thoughts, prayers and get well wishes to Officer Justin Wilkers who was shot in the line of duty.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 8:11 p.m. Motion prevailed.

Attest:

  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
February 21, 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 Marchelle Basnight.

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 February 7, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

### TREASURER'S REPORT

The following Treasurer's Report dated February 21, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

#### **TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON February 21, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 2,944.71
106	Fire Pension Account	M & T Bank	\$ 2,911.23
107	Evidence/Found Currency Account	M & T Bank	\$ 43,435.86
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 213,145.55
113	Non-Uniform Pension	M & T Bank	\$ 18,291.70
114	Central Deposit	M & T Bank	\$ 10,519.88
117	Cement Workers	Wilmington Savings Fund	\$ 33,332.08
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,395.67
130	Payroll	M & T Bank	\$ 212,884.62
131	Pension Payroll Account	M & T Bank	\$ 9,649.76
139	Pension Healthcare Account	M & T Bank	\$ <u>32,925.73</u>
	Total Cash on Hand		\$ <b>601,651.19</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	02/21/13	0.25%	\$ 66.56	\$ 9,717,402.00
116	General	WSFS	CD	02/22/13	0.30%	\$ 690.41	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	02/22/13	0.25%	\$ 161.12	\$ 840,107.57
110	Capital <sup>3</sup>	TD	CD	02/25/13	0.25%	\$ 791.20	\$ 1,540,195.00
106	Fire Pension	WSFS	CD	02/28/13	0.30%	\$ 43.73	\$ 190,000.00
124	Non-Uniform 1990	WSFS	CD	02/28/13	0.30%	\$ 975.78	\$ 4,240,000.00
105	Police Pension	WSFS	CD	02/28/13	0.30%	\$ 131.18	\$ 570,000.00
116	General	WSFS	CD	03/08/13	0.30%	\$ 690.41	\$ 2,000,000.00
116	General	WSFS	CD	03/22/13	0.30%	\$ 871.23	\$ 2,000,000.00
110	Capital	WSFS	CD	04/04/13	0.30%	\$ 1,134.24	\$ 2,000,000.00
116	General	WSFS	CD	04/05/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,464,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
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					\$ 997,787.00
104	Escrow Pension	Vanguard					\$ 17,478,514.00
104	Escrow Pension	Merrill Lynch					\$ 52,102,844.00
104	Escrow Pension	Edgar Lomax					\$ 25,252,580.00
104	Escrow Pension	Wilmington Trust					\$ 30,818,669.00
104	Escrow Pension	Manning & Napier					\$ 23,881,270.00
104	Escrow Pension	Earnest Partners					\$ 11,620,856.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,614,622.00
116	The Hartford	Deferred Comp.					\$ 32,470,344.00
	Total Investments						\$ 300,609,439.61
	Total Cash on Hand						\$ <u>601,651.19</u>
	Grand Total						\$ 301,211,090.80

<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 Ms. Walsh, seconded by Mr. D. Brown/Mr. Williams, the following non-legislative resolutions were accepted into the record:

All Council	Sympathy Barry Hester Scott
All Council	Salute Delaware Technical Community College Black History Celebration
Brown M.	Appreciation Delaware Pet Cremations
Chukwuocha	Recognize 30 <sup>th</sup> Anniversary of Diamonds and Pearls
Shabazz	Sympathy Jacqueline Rebecca Ewell

President Gregory: Thank you. Any other presentations? We are going to go to our legislative business tonight. Mr. Chukwuocha.

## LEGISLATIVE BUSINESS

Mr. Chukwuocha: None tonight Mr. President. Thank you sir.

President Gregory: Thank you. Mr. Congo.

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

President Gregory: Mr. Darius Brown.

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

Mr. D. Brown presented Resolution No. 13-010 as follows:

**WHEREAS**, the City of Wilmington City Council has long recognized the disturbing truth that violence against women is committed on a daily basis and includes domestic violence, sexual assault or stalking; and

**WHEREAS**, the impact of this violence has an enormous emotional, physical and financial impact upon individuals, families and communities within the City of Wilmington; and

**WHEREAS**, in 1994, the United States Congress passed groundbreaking legislation through the Violence Against Women Act (VAWA) to address such violence and its aftermath by supporting efforts to strengthen a coordinated community response in Delaware and throughout the country; and

**WHEREAS**, VAWA emphasized funding for police, prosecutors, victim services, and the courts to create a coordinated justice system that effectively responds to domestic violence, sexual assault, dating violence and stalking as well as education and social programs to prevent these crimes; and

**WHEREAS**, although victim response and services has improved over the past two decades, the City of Wilmington continues to need the support that VAWA offers to combat violence against women; and

**WHEREAS**, in 2012, the Wilmington Police Department's Victim Services Unit fielded over 1,500 reported cases of domestic violence and one-third of these reported victims accepted additional services from Wilmington Police; and

**WHEREAS**, the reauthorization of VAWA in 2001 and 2005 included amendments that strengthened the protections afforded to immigrant victims of violence, improved confidentiality and broadened services to include children and teenagers; and

**WHEREAS**, Congress has recently acted to reauthorize and strengthen VAWA by addressing gaps in safety and justice for Native American Women, expand protections to LGBTQ survivors, offer greater assistance with safe housing and maintain appropriations to the grant programs that have supported countless services assisting victims and survivors.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, to support the reauthorization of VAWA to expand and broaden existing services that continue to support and assist victims and survivors of domestic violence.

President Gregory: It's been properly moved and seconded the resolution be received, recorded, and filed and adopted by a yea or nay vote. *On the Question.*

Mr. D. Brown: Yes, Mr. President. This resolution supports the Reauthorization of the Violence against Women's Act of 2013 kindly known as VAWA. This act what it does it strengthens law enforcement and provides resources to service providers that can also respond to domestic violent and sexual assaults. In last year 2012, in the City of Wilmington the Wilmington Police Department Victim Service Unit received over 1,500 domestic violent cases. Of those 1,500, 500 of those cases also were provided other services from the Wilmington Police Department. I provide council with an info graphic of the reauthorization of the Violence against Women's Act which shows that one-third impact on women here in the City of Wilmington. I would just like to thank the co-sponsors of this resolution, the Women's Caucus members for co-sponsoring this with me. And that's all Mr. President.

President Gregory: Any other comments? Mr. Mike Brown.

Mr. M. Brown: Thank you Mr. President I would like to be ask the sponsor can I be co-sponsor to this as well.

Mr. D. Brown: Yes.

Mrs. Seijo: So noted.

President Gregory: Ms. Walsh.

Ms. Walsh: Yes, I want to thank Councilmen Brown for doing this, Council member Darius Brown. We did pass something last year with the previous council but this congress any bill that has the name women in it becomes a controversy. The Equal Rights Amendment has still not been passed in this country for women. They

want to dictate every medical procedure for women. They wouldn't do it to you guys, if you wanted to have a vasectomy you go to the doctor's nobody's protesting in front of that place.

President Gregory: Except for the person that's in there getting it probably.

Ms. Walsh: Probably, probably. Who probably should be the last person protesting but too - - but dead seriously this nonsense against women has to stop by congress that for anybody to think that they're becoming progressive because they might be able to corral one or two women in congress to go along with them. It's not the way women on the street are and that conservative women, liberal women, brown, women, black women, white women, whatever color it doesn't matter. That all women just want to be treated equally and this is an absolute disgrace. Just the fact that it has violence and women and they still playing their stupid little games down there over this, so thank you Darius I appreciate it.

President Gregory: Mr. Williams.

Mr. Williams: I would also like to be added as a co-sponsor (inaudible).

Mrs. Seijo: So noted.

President Gregory: Okay, anybody else? Clerk will call the roll.

Mrs. Seijo: Mr. President, can we acknowledge Mr. Prado before I take the roll?

President Gregory: Yeah, note Mr. Prado's present.

Mrs. Seijo: Thank you.

President Gregory: Thank you.

Mrs. Seijo: So noted.

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: 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. Motion prevailed.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Nothing tonight Mr. President. 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. Williams.

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

President Gregory: Mr. Freel.

Mr. Freel: Mr. President I have three for 1<sup>st</sup> and 2<sup>nd</sup> reading.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-003 entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE CITY  
CODE PERTAINING TO THE PENSION COMMISSION

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-004 entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE  
CITY CODE BY AMENDING SUBSTITUTE NO. 1 TO  
ORDINANCE NO. 09-031, AS AMENDED BY  
ORDINANCE NO. 10-003, IN ORDER TO AUTHORIZE  
THE CITY TREASURER ACCESS TO THE BUDGET  
RESERVE ACCOUNT FUNDS AT THE END OF A  
FISCAL YEAR AND REPLENISHMENT OF THE  
BUDGET RESERVE ACCOUNT FUNDS IN THE  
ENSUING FISCAL YEAR FOR FISCAL YEAR  
2013 ONLY

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-005 entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL  
RECONCILIATION OF ACCOUNTS BY  
TRANSFERRING FUNDS TO VARIOUS OFFICES  
AND DEPARTMENTS IN THE CITY OF WILMINGTON  
TO FULFILL OBLIGATIONS FOR THE REMAINDER  
OF THE 2012 FISCAL YEAR

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

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

President Gregory: Thank you. Mr. Michael Brown.

Mr. M. Brown: Yes, Mr. President. I have two Resolutions.

Mr. M. Brown presented Resolution No. 13-011 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 \$28,144.02; and

**WHEREAS**, the said grants will provide funding for Taser Acquisition and Training Explosives; 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 \$28,144.02 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 twenty-eight thousand, one hundred and forty-four dollars and two cents (\$28,144.02).

President Gregory: It's been properly moved and seconded the resolution be received, recorded, and filed and adopted by a yea or nay vote. *On the question.*

Mr. M. Brown: Yes, Mr. President. This is a grant for the Wilmington Police Department and it's a Sallie Grant of \$228,144, from the local law enforcement. And it's no matching funds.

President Gregory: Any other comments? 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one. Motion prevailed.

President Gregory: Declare it adopted. Mr. Brown

Mr. M. Brown: Yes, Mr. President. I do have another Resolution.

Mr. M. Brown presented Resolution No. 13-012 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 Office of Highway Safety in the amount of \$43,600.00; and

**WHEREAS**, the said grants will provide funding for Body Video Camera Equipment Purchase; 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 Office of Highway Safety in the amount of \$43,600.00 for the aforesaid purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the State of Delaware Office of Highway Safety in the amount of forty-three thousand, six hundred dollars (\$43,600.00).

President Gregory: It's been properly moved and seconded the resolution be received, recorded, and filed and adopted by a yea or nay vote. *On the question.*

Mr. M. Brown: Yes, Mr. President. This is also another grant that's coming from the this one is the Delaware Office of Highway Safety and its providing funds for the Body Video Camera Equipment and its \$43,600, and it's no matching funds.

Ms. Walsh: I have a question.

President Gregory: Ms. Walsh.

Ms. Walsh: Mr. Brown this is for them to put on their bodies correct?

Mr. M. Brown: The Chief is here but I think that is correct.

Ms. Walsh: Do you have any idea how many this will buy?

Mr. M. Brown: I have no number other than conversation that we had. They were supposed to get back to me and I didn't return it, it was my fault that I did not. I told them I'd get back to them I did not return their phone call.

President Gregory: You have other questions councilwoman Walsh.

Ms. Walsh: I just have one more on this. How much, oh, where is the video going to?

Mr. M. Brown: That I, I have no knowledge (inaudible).

Ms. Walsh: Mr. President would you like privilege (inaudible).

President Gregory: Motion to have privilege to the floor for the Chief to come and answer these three questions.

Mr. M. Brown: Thank you.

Ms. Walsh: So moved.

**SECOND.**

Chief Christine Dunning: In reference of this ma'am what we need to do is um one we have a policy that we developed for evidence preservation. You know at times that these types of video recordings are requested by court especially if we have court cases. And they will be stored as evidence and we follow our evidence procedure. I believe I don't have the exact number in here in front of me but I think there was at least fifteen (15) that they would equip the officers with.

Ms. Walsh: Mr. President. So these are more for interrogation purposes then in the car purposes?

Chief Dunning: We are able to purchase them from Office of Highway Safety. Some will be used on our DUI Strike Forces that we do with the new court and the other agencies, and also our patrol officers out there on the street. You know sometimes it takes a tragedy but I mean it would be nice if we would have been able to capture something like that when the shots were fired at Justin Wilkers.

Ms. Walsh: Sure, but its (inaudible) it's more of a storages.

Chief Dunning: No, it is storage and we have to consider them evidentiary, we have to follow the procedures for that. Because I am sure we know that if there is an incident that involves and arrest we know the lawyers and the other legal entities will probably ask for subpoenas for it.

Ms. Walsh: Okay. Thank you.

President Gregory: Okay. Any other questions for the Chief? Thank you very much.

Mr. Freel: Mr. President.

President Gregory: Mr. Freel.

Mr. Freel: Chief, I am trying to find it now in the statement that was released from the Press Conference today. Was there mention of cameras in that too, about have cameras both on the officers and in the cars? Is that different from these cameras that we're talking about?

Chief Dunning: Yeah there were two of them. One was the actual in the car the patrol units and then also the ones we were talking about the wearable portable mikes. And unfortunately I don't have the paperwork in here in front of me.

Mr. Freel: Is that different from this, from this request for funds for these cameras?

Chief Dunning: Yes, I believe so yes.

President Gregory: Thank you very much.

Chief Dunning: Okay. Thank you.

Mr. M. Brown: Motion to return.

**SECOND.**

President Gregory: Any more questions? 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: 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. Motion prevailed.

President Gregory: Declare it adopted. That's it Mr. Brown?

Mr. M. Brown: That's it sir. Thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing tonight sir. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation. Thanks.

President Gregory: Mr. Wright.

Mr. Wright: Mr. President. I have a Resolution to present.

Mr. Wright presented Resolution No. 13-013 as follows:

**WHEREAS**, Wilmington City Council hereby opposes the passage of  
Senate Bill No. 7 of the Delaware General Assembly, an Act to amend the Home Rule  
Charter of the City of Wilmington by making the office of the City Auditor an elective  
office, commencing with the 2014 election; and

**WHEREAS**, presently, the Home Rule Charter, § 3-201, specifies that the  
City Auditor is appointed by the Mayor of Wilmington and confirmed by City Council;  
and

**WHEREAS**, City Council finds this to be an historically effective  
practice that allows the City Administration the flexibility to select a candidate based on  
his or her qualifications to properly conduct the duties of the office of City Auditor; and

**WHEREAS**, the office of the City Auditor should only be changed to an elected office upon the consensus of the Mayor, City Council and the Citizens of Wilmington; and

**WHEREAS**, State Senator Robert I. Marshall has made a unilateral decision to introduce Senate Bill No.7 without taking into account the position of the City Administration or City Council and has not considered the overall qualitative implications of said legislation; and

**WHEREAS**, the City Auditor has the fiduciary responsibility to provide independent, objective management advisory services, as the Auditor seeks to identify risks, evaluate controls and make recommendations that will strengthen City operations; and

**WHEREAS**, City Council has the highest confidence in the office of the City Auditor as an appointed post and believes it will continue to function prudently, efficiently and with the utmost integrity.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this Council opposes the passage of Senate Bill No. 7, changing the office of the City Auditor to an elective post, and would further implore all Members of the Delaware General Assembly to support the City of Wilmington by denying passage of Senate Bill No. 7.

President Gregory: It's been properly moved and seconded that the resolution be received, recorded, and filed and adopted by a yea or nay vote. *On the Question.*

Mr. Wright: Yes, as you know Mr. President Senate Bill No. 7 has been presented and is somewhat arbitrary or idiopathic in its being presented by Senator Marshall and we are opposed to this as the current process is working. I know you, as well as the Mayor as well I am. We just want to move forward into State opposition so that the (inaudible) aware.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes, Mr. President. I am asking to be added as a co-sponsor.

Mrs. Seijo: So noted.

President Gregory: Mr. Brown is added. Mr. Prado.

Mr. Prado: Mr. President. Would you mind stating why you're opposed to this again because I am not quite sure what the proper (inaudible).

President Gregory: Well we had a leadership meeting with the City Delegation and the State Delegation and um it was a good meeting. While there is a range of best practices for an auditor one could be have them appointed with the (inaudible) and send it to Council that would be to have him out right appointed. There is

a middle grounds because of advisory boards different buffers. In my opinion there are two thoughts on here. One in this particular case, if we go short-term we have someone who shut down a practice with employees to become City Auditor. And I think it would be really unfair to have that person have to run for office in 2014. So if you assume that this may be a good idea seems that they should be running in 2016 and not 2014. Second reason would be, while the City of Wilmington why not every municipality why you singling out the city. But there are different forms of best practices with respect to auditor. If you elect an auditor it's somewhat of a popularity contest where you get someone who's qualified to be the Auditor.

One could argue then that his or his staff would provide that support. If the Mayor appoints someone, we would have to assume that the Mayor's going to appoint some who is qualified because we have to (inaudible) that person in determining their qualifications. I think that there is sufficient checks and balance system in the process for council, and the auditor and the mayor and the treasurer and all eyes looking that the auditor can be sufficiently independent to do his or her work. Also, an Auditor in this case is a CPA so certainly they have a license and they have certain obligations they are not just beholdng to the Council and to the Mayor, but they are licensed. So if they don't do what they are supposed to do they do jeopardize their license. So I think there's building integrity in the process. That's the reason why I opposed the short-term and long-term.

I just don't think it should be changed, and also at a higher level I just don't like tinkering with the Charter. When you open up that box you just don't know it's a slippery slope where it's going to begin and where does it end. You may have the state deciding well let's do this and let's do that. So I think the Charter should be dealt with or change the very limited situations. Those are all my reasons and I can tell you everybody at the leadership meeting they're against it. When I think if I were to not speak for Bobby Marshall but Senator Marshall but try to interpret his body language, I think at the end I think he's not going to necessarily move forth with this aggressively. He may move forth with it but I don't think it's going to be aggressive because he got no support for it. He got strong, strong support across the board against it. That is the City Clerk who was there as well as the State Clerk. Did I answer your question?

Mr. Prado: Yes, you did. Thank you.

President Gregory: Anybody else. Councilman Wright I want to thank you for letting me join you on this legislation if you don't mind. Okay, I am not waiting on it but I want to thank you for doing that. Any more comments?

Mr. Wright: Yes, just want to say not a problem but also as you stated currently the state is only State Auditor is the only person that's elected as it pertains to auditors. So again, as you stated it just came out of nowhere didn't seem sensible and much of the points that you shared I do share as well as far as opinions around in and around this resolutions.

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

Upon a motion of Mr. Wright, 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, Dorsey Walker, Williams, Freel, M. Brown,  
Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none.  
Present, Council Member Prado. Total, one. Motion prevailed.

President Gregory: We'll go to petitions and legislation.

Mrs. Seijo: Can you declare it?

President Gregory: Declared adopted.

Mrs. Seijo: Thank you.

President Gregory: Declare it adopted.

#### **PETITIONS AND COMMUNICATIONS**

The Council Members announced committee and civic meetings, and  
community events in their districts. Several Council Members congratulated Chief of  
Police Christine Dunning and Fire Chief Anthony Good and wished them both the best.  
Several Council Members spoke of Black History Month and programs going on in their  
districts. In addition, several Council Members spoke of Mayor Dennis William's Public  
Safety Plan.

#### **ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned  
at 7:36 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
March 7, 2013*

Council met in regular session on the above date at 6:30 p.m., President Theopalis K. Gregory, Sr. presiding.

A moment of silence was done for the late The Honorable Leonard L. Williams, former Judge of the Municipal Court of the City of Wilmington.

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 February 21, 2013, upon a motion of Ms. Walsh, seconded by Ms. Cabrera, it was moved they be accepted as written. Motion prevailed.

### REPORT OF COMMITTEES

Ms. Walsh presented the following committee report:

<u>Public Works &amp; 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		

February 28, 2012

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-002** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND JUSTISON LANDING

Have given this Substitute 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  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

\*Note: The above referenced Substitute Ordinance was originally scheduled to be addressed at the February 20, 2013 Public Works & Transportation Committee meeting. However, due to a lack of a quorum the meeting was rescheduled as a Joint meeting with Community & Economic Development Committee meeting on Feb. 28, 2013.

Upon a motion of Ms. Walsh, seconded by Mr. Williams/Mr. M. Brown, the above aforementioned Report was received, recorded, and filed. Motion prevailed.

Mr. Freel presented the following three-committee reports:

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

March 4, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-003** entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE CITY CODE  
PERTAINING TO THE PENSION COMMISSION

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Hanifa Shabazz  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

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

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

March 4, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-004**  
entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE BY  
AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 09-031, AS  
AMENDED BY ORDINANCE NO. 10-003, IN ORDER TO AUTHORIZE  
THE CITY TREASURER ACCESS TO THE BUDGET RESERVE  
ACCOUNT FUNDS AT THE END OF A FISCAL YEAR AND  
REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS  
IN THE ENSUING FISCAL YEAR FOR FISCAL YEAR 2013 ONLY

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Loretta Walsh  
/s/ Theopalis K. Gregory, Sr., Ex Officio Member

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

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

March 4, 2013  
President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-005**  
entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL RECONCILIATION  
OF ACCOUNTS BY TRANSFERRING FUNDS TO VARIOUS OFFICES  
AND DEPARTMENTS IN THE CITY OF WILMINGTON TO FULFILL  
OBLIGATIONS FOR THE REMAINDER OF THE 2012 FISCAL YEAR

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Hanifa Shabazz  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

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

**TREASURER'S REPORT**

The following Treasurer's Report dated March 7, 2013 was read into the  
record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. M.  
Brown, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON March 7, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 1,945.02
106	Fire Pension Account	M & T Bank	\$ 876.97
107	Evidence/Found Currency Account	M & T Bank	\$ 43,436.24
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 76,064.27
117	Cement Workers	Wilmington Savings Fund	\$ 33,332.08
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,153.00
130	Payroll	M & T Bank	\$ 228,542.74
131	Pension Payroll Account	M & T Bank	\$ 33,333.30
139	Pension Healthcare Account	M & T Bank	\$ <u>30,445.30</u>
	Total Cash on Hand		\$ <b>469,636.91</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	03/07/13	0.25%	\$ 59.69	\$ 8,714,431.00
116	General	WSFS	CD	03/08/13	0.30%	\$ 690.41	\$ 2,000,000.00
116	General	WSFS	CD	03/22/13	0.30%	\$ 871.23	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	03/27/13	0.30%	\$ 985.32	\$ 4,440,000.00
105	Police Pension	WSFS	CD	03/27/13	0.30%	\$ 67.02	\$ 302,000.00
110	Capital <sup>2</sup>	TD	CD	03/28/13	0.25%	\$ 188.06	\$ 807,552.69
110	Capital	WSFS	CD	04/04/13	0.30%	\$ 1,134.24	\$ 2,000,000.00
116	General	WSFS	CD	04/05/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
116	General	WSFS	CD	04/19/13	0.30%	\$ 902.54	\$ 2,000,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,464,000.00
116	General	WSFS	CD	05/03/13	0.30%	\$ 1,052.05	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	05/06/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
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					\$ 1,000,735.00
104	Escrow Pension	Vanguard					\$ 17,478,514.00
104	Escrow Pension	Merrill Lynch					\$ 52,102,844.00
104	Escrow Pension	Edgar Lomax					\$ 25,252,580.00
104	Escrow Pension	Wilmington Trust					\$ 30,818,669.00
104	Escrow Pension	Manning & Napier					\$ 23,881,270.00
104	Escrow Pension	Earnest Partners					\$ 11,620,856.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,614,622.00
116	The Hartford	Deferred Comp.					\$ 32,741,379.00
	Total Investments						\$ 303,589,896.73
	Total Cash on Hand						\$ 469,636.91
	Grand Total						\$ 304,059,533.64

<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. M. Brown, seconded by Ms. Walsh, the following non-legislative resolutions were accepted into the record:

All Council	Retirement Kash Srinivasan
All Council	Sympathy Harmon Roland Carey
Brown M.	Recognize Bell Funeral Home
Brown M.	Appreciation Delaware Pet Cremations*
Brown M.	Sympathy Louvinia Williams Dozier
Dorsey Walker	Sympathy Jane Harrington-Smith
Gregory	Recognize Police Athletic League Wilmington of Wilmington's Black History Event
Gregory/Council	Sympathy Former Judge Leonard L. Williams
Shabazz	Recognize Harriet Tubman Day
Shabazz	Congratulate Union Lodge #21, Prince Hall Affiliate – 130 <sup>th</sup> Anniversary
Walsh/Cabrera	Retirement Former Chief of Police Michael Szczerba
Walsh/Cabrera	Retirement Former Fire Chief Willie Patrick
Wright	Interdenominational Church Ushers Association 50 <sup>th</sup> Annual Memorial Service

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown, Council returned to regular order of business. Motion prevailed.

President Gregory: Actually I want to take the privilege of the floor at this time to read a Resolution.\*

**\*Note: At this time President Gregory read the Sympathy Resolution sponsored by all members of Council for the late Honorable Leonard L. Williams.**

## LEGISLATIVE BUSINESS

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you Sir.

President Gregory: Councilman Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Councilman Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-014 as follows:

**WHEREAS**, According to a 2012 report of the American Association of University Women, in the year 2011, women in the workforce of the United States earned 77 percent of what their male counterparts earned; and

**WHEREAS**, Approximately one-third of all employed mothers are the sole providers for their households, or are the only adult member in the workforce; and

**WHEREAS**, More and more women are entering the workforce to supplement their household incomes; and

**WHEREAS**, From the years 2007 through 2011, an average of 50.6 percent of Wilmington's year-round, full-time workforce is comprised of women while an average of 49.4 percent of Wilmington's workforce is comprised of men; and

**WHEREAS**, The median income of women in the Wilmington workforce is \$37,458.00, and the median income of men in the Wilmington workforce is \$46,033; and

**WHEREAS**, According to the Library of Congress summary, "The Paycheck Fairness Act," a bill to amend the Fair Labor Standards Act of 1938, will create incentives for employers to follow legal standards, empower women to negotiate for equal pay and strengthen federal outreach and enforcement efforts. The bill will also deter discrimination by strengthening penalties for equal pay violations and by prohibiting retaliation against workers who inquire about employers' wage practices or disclose their own wages; and

**WHEREAS**, The Paycheck Fairness Act will go a long way to strengthen the American middle class and to become a vehicle for ALL workers to have a "voice" in earning fair wages for jobs they perform daily.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, That Wilmington City Council respectfully urges our Delaware United States Congressional delegation, United States Senators Thomas R. Carper and Christopher Coons, and United States Representative John Carney, Jr. to support the passage of **THE PAYCHECK FAIRNESS ACT**. We further respectfully urge all other United States Congress Members to fully support this bill.

Mr. D. Brown: Yes, Mr. President. As we recognize and observe this month of March being Women's History Month, and also the Centennial of Women's Suffrage, which occurred on March 3rd, I'm sponsoring this Resolution to support the Paycheck Fairness Act, the Council Members have an info-graphic, which provides some information not only understanding the impact nationally through a Resolution, but also the impact here in the city of Wilmington. Here in the City of Wilmington, male's make up 49 percent of our workforce, women make up 51 percent of our workforce. However, the gender gap for males, males' medium income here in the City of Wilmington is \$46,000 and females are \$37,000. So we seen the gender gap and the challenges that many females here in our city face while being working individuals and also heads of households, and so this Resolution supports the spirit of the Resolution nationally to support women, women in the workforce. In addition, to that as an omission, I would like to ask that the women's caucus of Council be added, Council Members Walsh,

Cabrera, Shabazz and Dorsey Walker. In previous conversations they had asked to be added and it was omitted.

Mrs. Seijo: So noted.

President Gregory: Thank you. Any other comments? Mr. Brown?

Mr. M. Brown: I'd like to be added as well, Mr. President, please.

Mrs. Seijo: So noted.

President Gregory: Anybody 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: 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.

Mrs. Seijo: Declare it.

President Gregory: Declare it adopted.

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

Mr. D. Brown presented Resolution No. 13-015 as follows:

**WHEREAS**, in 1994, Congress enacted an assault weapons ban that prohibited the sale of certain semi-automatic and automatic weapons to help reduce the levels of gun-related violence in the United States; and

**WHEREAS**, the assault weapons ban expired in 2004, by operation of law, and the ban has not been reenacted by Congress; and

**WHEREAS**, throughout the United States a growing number of mass and random shootings have occurred in schools, colleges, and other public places where innocent people gather; and

**WHEREAS**, in the City of Wilmington, 23 gun homicides were reported in 2010, 22 gun homicides in 2011 and 24 gun homicides in 2012; and

**WHEREAS**, Wilmington City Council supports the proposed federal gun control laws that: (a) close background check loopholes to keep guns out of the hands of criminals and other dangerous individuals; (b) require background check on ALL gun sales; (c) ban military-style assault weapons and high-capacity magazines and takes other common-sense steps to reduce gun violence; (d) make all schools safer; (e) increase access to mental health service; and (f) end the freeze on gun violence research.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Wilmington City Council respectfully urges our Delaware United States Congressional delegation, United States Senators Thomas R. Carper and Christopher Coons, and United States Representative John Carney, Jr. to support the passage of **THE FEDERAL GUN CONTROL LAWS**. We further respectfully urge all other United States Congress Members to fully support this bill.

Mr. D. Brown: Yes, Mr. President. In January of this year, our president, President Barack Obama, publicly announced the support of three new legislative measures, to regulate firearm ownership and sales. There's been some contention nationally and locally around these proposals, but they have been codified by State proposals, also, through our Governor, Lieutenant Governor, and Attorney General. In some of the, these proposals, one is banning certain semiautomatic weapons with military-style features, commonly referred to as assault weapons, in addition to high-capacity ammunition magazines that hold more than ten rounds. The second recommendation is requiring background checks on all firearm sales, not just those purchased from federally-licensed firearm dealers and then thirdly, is enhancing penalties for trafficking firearms.

President Gregory: Anyone else? Mr. Wright.

Mr. Wright: Thank you Mr. President. I want to thank the (inaudible) of Delta Sigma Theta Sorority who came to our public comment portion to speak out against the gun violence that our communities are facing. Also, I think it's important to note that on our previous Resolution, with the Women's Suffrage Act, March, excused me, that the Sigma Theta Sorority, Inc., they, as one of the, I believe, the first public advocacy issues of march many, many years ago that they just re-enacted on Sunday. So, I want thank them, as well as everyone else for their contributions and commitments to the shrine that we'll have a safer city, community and world. Thank you.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I'd like to be added as co-sponsor, please.

Mrs. Seijo: So noted.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I would also like to be added as a co-sponsor.

Mrs. Seijo: So noted.

Ms. Walsh: Yes.

President Gregory: Ms. Walsh.

Mrs. Seijo: So noted.

Ms. Walsh: Just very quickly, one thing, I thought this was a bright light in our State today, but Representative Hocker, I might be mispronouncing his name, was a downstate guy, who I happens to also own a gun shop, introduced legislation today for full background checks in the State of Delaware. So, aces to him that he didn't listen to the NRA.

President Gregory: Councilwoman Shabazz was instrumental at the national legal cities level and I've been a part of a group to get a Resolution passed, this NLC Resolution No. 2013-26. She's being modest in not bringing it to yall's attention, but I will. I'm not going to read all the Whereas clauses; I'm going to read the first and then I'm going to go down to therefore and be it resolved. Whereas young men generally and African American males specifically, are dying at, are dying at an alarming rate due to homicides, which is the #2 cause of death for all males; and the #1 cause of death for 15-24-year-old African-American males. There are three other, or four other Whereas clauses, then you go down in those Whereas clauses document the horrific statistics and the plight of, of, of African-American males.

Now, therefore, be it resolved that the National Legal Cities calls upon the United States Congress to direct the Centers for Disease Control, whose primary responsibilities are to monitor public health, detect and investigate health problems, foster safe and healthy environments, and implement prevention strategies, to monitor, detect and prevent violence among young males, generally, and young African-American males specifically - Specifically - and be it further resolved that the Centers for Disease Control develop a holistic intervention designed to address the health-related aspects and implications of violence among young males generally, and young African-American males specifically, and it goes on from there. I want to commend Councilman Darius for taking leadership with respect to this Resolution. Thank the ladies of Delta Sigma Theta Sorority, and you, Councilwoman Shabazz for your work at the National League of Cities level. In addition, to assault, assault weapons, the weapon of choice in urban America is handguns. So, we really need to do something about that, also. Any other comments? 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: 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. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-002 entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND JUSTISON LANDING

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

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND JUSTISON LANDING

Ms. Shabazz: Yes Mr. President. This Substitute Ordinance amends the City Code by adding a special residential parking district in and around the Justison Landing. This new residential parking district is proposed by Public Works and due to the increase of the residents that are growing, that are um that are living in that new area down in Justison Landing.

President Gregory: Anyone else?

Ms. Shabazz: It's been vetted by the Public Works as well as meeting with the residents down there and they're all in agreement.

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

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the above aforementioned **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring by 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, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented Resolution No. 13-016 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 Department of Public Works, has sought to obtain four (4) grants from various sources for tree related project throughout the City totaling \$379,136 and requiring local matching of \$312,550 plus a suggested local matching of \$29,250; and

**WHEREAS**, Grant #1, entitled "Vandever Ave Tree Trench Demonstration Project", is a Surface Water Planting Grant from DNREC in the amount of \$43,350 to provide funding for the design of five tree trenches along Vandever Ave and to hold two public education meetings; and

**WHEREAS**, Grant #1 requires a local match of \$43,350; and

**WHEREAS**, Grant #2, entitled "Vandever Ave Stormwater Tree Trenches, Urban Forest Management Plan and Tree Planting Budget", is a U.S. Forest Service Redesign Grant from the U.S. Forest Service in the amount of \$265,786 to provide funding to construct the five tree trenches designed in Grant #1 along Vandever Ave and to complete the Management Plan; and

**WHEREAS**, Grant #2 requires a local match of \$269,200; and

**WHEREAS**, Grant #3, entitled "Creating a Statewide Model for Quantifying Water Quality Benefits of Trees", is a Community Water Quality Improvement Grant from DNREC in the amount of \$50,000 to provide funding to plant trees and to define new statewide policies relating to trees and stormwater best management practices; and

**WHEREAS**, Grant #3 does not require a local match, however, the application identifies \$29,250 in supporting funds for tree planting and printing materials; and

**WHEREAS**, Grant #4, entitled "Tree Planting in Economically Disadvantaged Areas", is a TD Green Streets Grant from TD Bank and Arbor Day Foundation in the amount of \$20,000 to provide funding for tree planting in economically disadvantaged neighborhoods; and

**WHEREAS**, Grant #4 does not require a local match; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Department of Public Works to accept the awarded grants in the amount of \$379,136.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Department of Public Works is hereby authorized to accept grant funding from DNREC, U.S. Forest Service, and TD Bank and Arbor Day Foundation in the amount of three hundred, seventy-nine thousand, one hundred and thirty-six dollars (\$379,136); and

**BE IT FURTHER RESOLVED** that the Department of Public Works shall be authorized to take all necessary actions to comply with the Project Agreement for Vandever Avenue Tree Trench Demonstration Project (for Grant #1), the Community Water Quality Improvement Grant Program Memorandum of Agreement (for Grant #3), a copy of which is attached hereto and made a part hereof, and any other actions required to comply with grant requirements and to administer the grants and the grant programs for the City of Wilmington.

Ms. Shabazz: This Resolution approves the Wilmington Department of the Public Works to accept four grants funded by DNREC, U.S. Forest Service, TD Bank and Arbor Day Foundation in the amount of \$379,000, \$379,136. There is a total match required for in the amount of \$312,550, plus a suggested match of \$29,250, and these matching funds have been already allocated in the 2012 budget. These are projects that would help us with our tree services throughout various parts of the City of Wilmington.

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

Upon a motion of Ms. Shabazz, seconded by Mr. Congo, 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. Shabazz: Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-006 entitled:

**AN ORDINANCE TO AMEND CHAPTER 36 OF THE  
CITY CODE REGARDING WEAPONS AND RELATED  
OFFENSES**

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

Ms. Shabazz: That's all for tonight. 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 tonight Mr. President.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President. I have three for third and final, one for first and second and then one Resolution.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-003 entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE  
CITY CODE PERTAINING TO THE PENSION  
COMMISSION

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

AN ORDINANCE TO AMEND CHAPTER 39 OF THE  
CITY CODE PERTAINING TO THE PENSION  
COMMISSION

Mr. Freel: Yes Mr. President, once a year in January the Pension Commission comes together to make recommendations on cost of living increases for pensioners. If they make a recommendation increasing the pensioners uh, uh, monthly amount, that has to then go to Council for a vote. Basically, what this Ordinance does is that if there is an increase, anything above zero dollars, the Commission will come together uh within twenty or thirty days after that meeting just to review what the financial impacts are of that recommendation, whether it's on the long term financial impact to our budget what the impact's unfunded liabilities, etc., because you can have this commission meeting and someone can just, one of the members just show up and make a recommendation, or make a motion to increase it, and it can pass without any supporting documentation on, on what the impact is. So, it's just for the Commission to do its due diligence, come back one time and, and look at what, what those impacts are.

President Gregory: Clerk will call the roll. Mr. Williams.

Mr. Williams: Yes Mr. President. I just wanted to reveal that I am a beneficiary of a City pension and I did review with the Law Department; they said that there would be no problem with the way that I would respond to this Ordinance. I did have a question to raise prior to the vote. And my question is if the members of this committee are appointed and elected by their respective bodies they have a fiduciary

responsibility to make sound decisions based on the information that's presented before them. And it says right in the Ordinance that it's a recommendation, and it's strictly a recommendation that is to be reviewed and then voted on by this body. I just see this as an overkill in my position, that this is one additional step that ultimately comes down to this body.

President Gregory: Mr. Brown.

Mr. D. Brown: Yes Mr. President, just for a point of clarity for this Resolution, what, what's presented in front of us that we'll be, I'm sorry, this Ordinance, for what is, is presented in front of us. This has no binding effect or impact on January's vote?

President Gregory: No.

Mr. D. Brown: Correct?

Mr. Freel: No, no impact on the vote that was taken in January 2013.

Mr. D. Brown: Okay. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: Mr. President, having served on the Pension Board before, too, it wasn't the same scenario but, there was an individual who was trying to get an increase in a, in, in a pension going out and was voted down twice before, and then when certain members were missing, including myself from a meeting, they took a vote and gave him a pension, which would have been higher than his normal pension. But, I think when it comes to being safe, you know, we're, we're doing taxpayers money here, that a lot of our pensioners, too, if you think, not a lot anymore, but still some of our pensioners never paid a dime into the pension system...ever. And so before we continue to spend current taxpayers' money, if two people have to check it or you have to check it two times, I don't see what the big deal is at all. I don't think there is a big deal. So, I'll be supporting it.

President: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above aforementioned **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring by 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, Freel, M. Brown, Walsh, Wright, and Council President Gregory. Total, eleven. Nays, Council Member Cabrera. Total, one. Present, Council Member Williams. Total, one.

Mr. Wright: Excuse, pardon that's wrong.

President Gregory: Did you vote "no"?

Ms. Cabrera: I voted "no".

Mrs. Seijo: Oh I'm sorry. I apologize. Eleven Yeas, One Present and One Nay. Thank you.

President Gregory: Declare it adopted please.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-004 entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 09-031, AS AMENDED BY ORDINANCE NO. 10-003, IN ORDER TO AUTHORIZE THE CITY TREASURER ACCESS TO THE BUDGET RESERVE ACCOUNT FUNDS AT THE END OF A FISCAL YEAR AND REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL YEAR FOR FISCAL YEAR 2013 ONLY

Mr. Freel: Yes Mr. President. We have done this several times over the last four or five years, and basically what we do is we allow the City Treasurer, as we come, come to the end of a fiscal year, if we find ourselves in a cash flow situation, where we do not have enough cash to, to pay our bills, basically our payroll and things like that every two weeks, we give him the ok to take funds from our budget reserve account and it's clear that those funds need to be replenished by October 1st. As you know, our taxes, our property taxes, come due on August 30<sup>th</sup>. So, we start seeing those funds coming in - in August and September, and that gives him the ability then to go ahead and repay it by October 1st. Those funds that he usually takes somewhere in the area of late May, June, July.

President Gregory: Clerk will call the roll, please.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring by 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, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-005 entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL RECONCILIATION OF ACCOUNTS BY TRANSFERRING FUNDS TO VARIOUS OFFICES AND DEPARTMENTS IN THE CITY OF WILMINGTON TO FULFILL OBLIGATIONS FOR THE REMAINDER OF THE 2012 FISCAL YEAR

Mr. Freel: Yes, Mr. President. This is something else that we have to do once a year, to close out a fiscal year, which we are doing for Fiscal Year 2012. Normally we wait to do the reconciliation until after, after the audit is completed and we have finished the comprehensive annual financial report. Those are both done and now we are just doing a reconciliation of accounts. I know this is a little later than maybe in the last couple of years, but I believe some of that is due just because we were going through a transition in the late, you know, late 2012, early 2013.

President Gregory: Ms. Walsh.

Ms. Walsh: Mr. President, this, my vote tonight will have nothing to do with this Administration. I vote no on this every year. I, I don't like the way the City does this; I haven't liked it, the way the City has done this under four mayors. I don't have a real hard on for it. So I, I haven't solicited any other no votes, but in case members wonder why I'm voting no, it simply is I think they should be doing business differently, and I am going to consistently vote "no" this evening.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring by 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, Freel, M. Brown, Cabrera, Wright, and Council President Gregory. Total, twelve. Nays, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-007 entitled:

A REFUNDING PROJECT ORDINANCE APPROVING AND AUTHORIZING THE FINANCING OF A REFUNDING PROJECT FOR THE DELAWARE ART

MUSEUM, INC.; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING THE ISSUANCE OF CITY OF WILMINGTON REVENUE REFUNDING BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000; AND AUTHORIZING OTHER NECESSARY ACTION

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

Mr. Freel presented Resolution No. 13-017 as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Memorandum of Agreement between the **CITY OF WILMINGTON**, a municipal corporation of the State of Delaware, and the **AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES AFL-CIO, (AFSCME) LOCAL 1102**, is hereby approved and is effective as of the date of execution of the said Memorandum of Agreement, a copy of which is attached hereto and made a part hereof, and the Mayor and City Clerk are hereby authorized to execute as many copies of said Memorandum of Agreement as may be necessary.

Mr. Freel: Yes, Mr., President. A few years back the previous Administration in, in effort to kind of tighten the City's belt, had come to the Unions and Council and suggested eliminating three holidays and creating floating days. They met with the Unions and had received MOUs from all the Unions, Unions supporting it. When it came for a vote that night at Council, Council amended that Ordinance and put the Good Friday back in as, as a holiday, just deleted one of the floating days. All the MOUs they went back and revisited with the Unions all the MOUs, the only one that had not voted to, to go along with the change was Local 1102. I, I guess the new Administration had approached them again about making this change so, you know, there'd be no confusion for our residents really on who was working and who wasn't on Good Friday. It is my understanding that that local met last night and approved that MOU and now it is before you tonight so we can get this hopefully rectified before Good Friday of this year, which is, I believe, March 29<sup>th</sup>.

Mr. D. Brown: Mr. President.

President Gregory: Mr. Brown.

Mr. D. Brown: Mr. President is there a process or procedure when there's a, a vote by a Union within twenty-four hours of Council commencing to provide some type of documentation on their vote? And if so, was that provided?

President Gregory: There's, there's no procedure, certainly you could make the point that you need more details. I know that there had been discussion behind the scenes and it's - - it, this was conditioned on the Union agreeing, and we wouldn't be here today if the Union didn't agree and they were going to do this before today. This may have come up at the last minute; there is no process, but I can tell you that there was discussion. Yes, Mr. Freel?

Mr. Freel: Yeah, I just wanted to say that we did discuss this briefly at the Finance Committee meeting on Monday. The president of the Union was there and she did leave a message on my machine last night that it had passed. That's about all I have.

President Gregory: Okay. Anything else? Ms. Cabrera.

Ms. Cabrera: I would like to be added.

Mrs. Seijo: So noted.

President Gregory: Clerk will call the roll, please.

Upon a motion of Mr. Freel, 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. Nays, none.

President Gregory: Declare it adopted.

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

President Gregory: Mr. Michael Brown, please.

Mr. M. Brown: Yes Mr. President, thank you. I do have a Resolution to present.

Mr. M. Brown presented Resolution No. 13-018 as follows:

**WHEREAS**, Wilmington residents are regularly subjected to dangerous criminals who commit violent crimes while out on bail; and

**WHEREAS**, statutory changes are needed to strengthen our bail system in order to keep repeat offenders off of our streets; and

**WHEREAS**, under the legislation proposed by Attorney General Joseph R. Biden, Senate Majority Whip Margaret Rose Henry, Senator Robert Marshall, Representative Helene Keeley and Representative Larry Mitchell, violent criminals will face stricter bail conditions, and in certain instances be denied bail; and

*WHEREAS*, the legislation as proposed by the Delaware General Assembly would:

Require that defendants arrested on violent felony charges while out on bail for a previous offense have their bail for the first offense revoked if a Superior Court judge decides there is sufficient evidence that the person committed the second offense. The repeat offender would forfeit the bail if it was cash, and a hearing will be held to set a new bail amount, which must be at least twice as much as the initial bail amount.

Amend Delaware's constitution to allow for judges to have the discretion to order dangerous defendants held without bail if holding them in pre-trial detention is the only way to "reasonably assure the safety" of the public. The constitutional amendment would make Delaware law similar to the federal system, where judges can hold hearings to determine whether a defendant is too dangerous to release; and

*WHEREAS*, while the bill retains the express right to have bail set in a criminal case, Council hopes the proposed legislation will give our judges the opportunity to decide whether an individual is too violent or too dangerous to be released back into the community; and

***NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON***, that Council supports Attorney General Joseph R. Biden and the General Assembly on their Criminal Justice Proposal to Protect Public Safety by Focusing on Violent Repeat Offenders and encourages all General Assembly members to vote approve the legislation.

President Gregory: Mr. Williams.

Mr. Williams: You want to go first?

President Gregory: Oh, I'm sorry. Mr. Brown, do you . . .

Mr. M. Brown: I was just getting ready to say it speaks for itself.

President Gregory: Okay. Mr., Mr. Williams wants to be co-sponsor.

Mrs. Seijo: So noted.

President Gregory: Ms. Dorsey Walker.

Ms. Cabrera: Mr. President I'd like to be added as a co-sponsor, please.

Mrs. Seijo: So noted.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, although I'm in a hundred percent support of this because I keep seeing how, you know, our policemen are doing, our Police Department is doing their job, locking up folks and they're back out again and thirty days later they're committing the same offense they were locked up for. I'm in total support; however, there is a line here that I have to question and, and maybe this is something we have to take up with the legislatures but it says a repeat offender would forfeit the bail if it was cash. Now, how would that affect the bail bondsmen that put up the money most of the time? How would that affect their businesses, because I do believe that there was a Bail Bondsmen Association meeting, I was not able to attend, how this legislation would literally put them out of business. So I, I just don't know how much research has been done on this particular line but, again, I want to go on the record stating that I support this a hundred percent. I don't think people should be let out on bail just to be out there committing the same offenses while they're out but I think that as a small business person that is something that we should, I don't know, look further into.

President Gregory: Mr. Mr., anyone else? I, I have a question. I know that there was a piece that we went over to the press conference on. Is this the one we went over on the press conference?

Mr. M. Brown: That is correct.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. For me, as I've watched previous Council Members express their, their issues and concerns around crime and violence and for me, also, with the constituents that I represent and their feelings around crime and violence and the issues that they face within the neighborhood, I think this piece of legislation at the State level is a good tool to allow the courts and the power of the, the State Department of Justice to utilize as it has been expressed by the sponsors of this legislation at the State level and also by the Department of Justice; this tool is not a tool that will be used unilaterally or be used in every instance but it's a tool that's being able to use for repeat offenders, which in many cases come back to our neighborhoods commit the same offenses, which impact the quality of life of residents in the City of Wilmington.

President Gregory: Mr. Brown, I, I want to, you were going to say something?

Mr. M. Brown: No, go ahead.

President Gregory: I, I'm conflicted by the - - by this legislation. I went over to the press conference. I thought I, it was a constitution amendment to increase bail for violent offenders and repeat violent offenders, and for the instant offense you would have committed a violent offense, like Ms. Cabrera, I am concerned about the feature, and I don't know if that's in the constitution amendment or not; I think that's a clause that's being put in with respect to the execution of the constitution amendment. I'm

conflicted because I was a prosecutor, I've been a defense attorney, and I've been a small businessman and there, there're a lot of different values in that but I, I think on balance, I'm going to vote for it, but, but I think that there are some competing values in, in this legislation that really should be considered, but also, I'll, I'll vote for it because there are some due process stages in it; it's not the, the prosecutor making the decision, it's the judge, and they have to have a hearing in federal court, at that hearing, in terms of bail is a real hearing, it's not a perfunctory hearing, and my understanding this will be a real hearing not something where you go through the motions.

So, I think due process being protected, we have the speedy trial where folk can get out, it'll be, it will be moved through the system appropriately, and the third piece is that it's limited to serious violent felons, it's not misdemeanors and it's not just felonies; they have to be serious, violent felonies. So, with those safeguards I'm in favor of this. But again, I'm conflict, convicted, I've been a prosecutor at the federal level here in the district and having been a defense attorney and being a small businessman in terms of folk's money being in jeopardy. Yes, Ms. Shabazz.

Ms. Shabazz: So, Mr. President, will the question regarding the statement that Councilwoman Cabrera brought up regarding the forfeiting the bail would, would we have staff or our Law Department ready to give us a, an answer, clear answer to that, cause I also feel the same way.

President Gregory: What is in there it's in the proposed legislation at the State level. We're not trying to amend that legislation. We're just sending a Resolution in support of it.

Ms. Shabazz: I mean this is for our clarification so that we would know because some of those bail bondsmen are our constituency so we would know.

President Gregory: It is in the State legislation, as it has been read. I, I just noted that I think that there are sufficient safeguards and I think that it's limited to serious, violent felonies and not just felonies, not misdemeanors, and with the safeguards that are built in, I'm in support of it, but, we have an answer. The answer is very clear that you will forfeit. So, the bail bondsman has to assess whether he or she is going to post bail given these criteria. So, it is a chilling effect; there certainly is a chilling effect on one's liberty.

Ms. Shabazz: Thank you Mr. President.

Mr. M. Brown: Yes Sir.

President Gregory: Mr., Mr. Michael Brown.

Mr. M. Brown: And then if you read down a, right above the fifth Whereas, where it says the amended Delaware Constitution to allow for judges to have the discretion, just what you just said, to order dangerous defendants held without bail. If holding them in pre-trial detention is the only way to reasonably assure the safety of the

public. The constitution amendment would take, will make Delaware a, a law similar to the federal system where judges can hold hearings to determine whether the defendant is too dangerous to release them. Then it goes to that Whereas, the fifth Whereas, where, where we said that while the bill retains it, the, the express right to have the bail set in a criminal case, we, Council, hopes the proposed legislation would give our judges the opportunity to decide whether an individual is too violent and too dangerous to be released back into the community. It just goes to what you just said, you know. It has to be that the bail bondsman has to, to look at that very, very seriously. We, if you remember back in the, five, eight years ago, we had a law out where, where they was going and, and setting bail and taking, when somebody would, would jump bail, they would take the, the, they'd go back and take somebody's house. They'd go back and take somebody's house.

So, but this goes back, and it reminded me of that, and this goes back even deeper that now the judge, we, we always say that it's a revolving door, it's a revolving door about these criminals coming back and forth, committing a crime in the morning, and, and in the afternoon they done had lunch and back on the corner. You know, it, it, it is now more, more teeth in here to have the judges say we have more teeth that we can use our, our bailers' discretion in terms of whether we want to release them and then the, the bail bondsman has to be there or be somewhere near to, to know all those facts before they want to put themselves out on the limb.

President Gregory: In a democracy, in a free country, we have to be careful with respect to what rights and due process - how we impact that in the face of securing our safety, and so there're competing principles. But I think there's sufficient due process, safeguards in this that I'm in favor of it. The Clerk will call the roll please.

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. Nays, none.

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President, I also want to thank the organization for coming and showing their support for this piece of legislation.

President Gregory: Thank you. Declare it adopted. We're going to Ms. Cabrera and I enjoyed the discussion. I think that's why we got elected to talk and to flush out and not take for granted our democracy and how we do things. So, I mean, that's real good. I think it's good for this body. Ms. Cabrera.

Ms. Cabrera: Nothing this evening.

President Gregory: Ms. Walsh.

Ms. Walsh: Yes.

Ms. Walsh presented and called for the first and second reading Ordinance No. 13-008 entitled:

AN ORDINANCE CONSTITUTING BUDGET AMENDMENT NO. 6 TO ORDINANCE NO. 12-019 TO AMEND THE POSITION ALLOCATION LIST FOR FISCAL YEAR 2013 BY MAKING CHANGES IN THE MAYOR'S OFFICE; AND APPROPRIATE THE USE OF GENERAL FUND BALANCE BY AMENDING THE FY2013 OPERATING BUDGET ORDINANCE

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

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight Mr. President. Permission.

President Gregory: You out. Thank you.

#### **PETITIONS AND COMMUNICATIONS**

The Council Members announced committee and civic meetings, and community events in their districts. Summer Youth employment was duly mentioned and those youth who may be interested should contact the Department of Parks & Recreations at 576-3810. Council President Gregory and Council Members expressed their condolences to the family of The Honorable Judge Leonard L. Williams.

#### **ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 8:22 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
March 21, 2013*

Council met in regular session on the above date at 6:00 p.m., President Theopalis K. Gregory, Sr. presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

President Gregory acknowledged dignitaries that were in the audience this evening. He also acknowledged the men and women in blue from the Wilmington Police Department and the Wilmington Fire Department.

### **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.

### **SUSPENSION OF RULES**

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown, Council suspended the rules in order for Mayor Dennis P. Williams to present his Budget Address. Motion prevailed.

Council Members Chukwuocha and Cabrera escorted Mayor Dennis P. Williams into the Council Chambers.

### **MAYOR'S STATE OF THE CITY ADDRESS - FISCAL YEAR 2014**

Mayor Dennis P. Williams: Good evening President Gregory, members of City Council, Treasurer Supinski, distinguished guests, city employees, my fellow Wilmingtonians and my good friend Tom Gordan. Thank you for the opportunity for me to present the State of the City Address. On January 8<sup>th</sup> I made a promise to deliver the change the voters demanded. For years, politics have played a major part in not getting tough decisions done in our city. Tonight, I am here to draw the line and set Wilmington on a new course in the future. The people have given me a mandate, change. We can no longer proceed with that will do. It's a new day. On February 3, 2013, Wilmington police officer Justen Wilkers was shot in the line of duty by a thug who should never had been on our streets to begin with. The good Lord spared Justen and is still with us recovering well today. Justen or his family, will they please stand, please? Thank you so much. John Shehee, a veteran 40 years at Parks and Recreation, has put in his paperwork

to retire in April. He has touched so many young lives and turned a lot of young people around. John, will you please stand if you're here? Thank you so much for your service John. Women in leadership: Sophia Hanson, the Director of Planning and Urban Design, has compassion, creativity, and a drive to make things move and will take Wilmington to new heights. She's working on an Eastside initiative that's going to be very powerful when they get it completed. Sophia, would you please stand? Coby Owens is a senior, honor student at Salesianum High School. He's very active in community service in Wilmington. He's part of the Wilmington Fire Department's Explorer League. He had an opportunity to come to my office last week and talked to me and told me he wanted to be a Forensic Scientist when he graduated from college. Coby, would you please stand if you're here? Thank you. Justen, John, Sophia and young Coby, they represent character and commitment Wilmington needs to survive in the future. I take my hat off to each and every one of you. Thank you so much.

It's a new day ladies and gentlemen. I love this city. I was born and raised in this city. I'm a homeboy. I came from the Riverside housing projects with the process of people thinking that we weren't going to make it, my brothers and I. We all were very successful and I'm a proving fact that's standing here today. I want to thank the citizens of Wilmington for standing by me and still believing in me. We're going to take this city to new heights. My vision for Wilmington is simple. Developing city employees into true public servants; uniting and energizing neighborhoods; motivating parents and share them to shape their features; creating economic prosperity; job retention, new jobs coming in; business incentives. The Masley Glove Company is one of the shining examples that happen in our city. Mr. Frank Masley, would you please stand? Thank you anyway if you're streamlining or watching us on television. Thank you. This is a company that came to Wilmington, Delaware and hired local employees, giving everybody an opportunity. This is a company that didn't have to locate in Wilmington. It could have went somewhere else but they came into the City of Wilmington.

Wilmington is at a crossroads. Poor decisions from the past still haunt us. There will be difficult days ahead but we will face them together. It's a new day! After 73-days in office, I faced the wounding of a police officer, a courtroom shootout, the death of three (3) city employees, things going hay wire, lights didn't work, computers didn't work, telephones didn't work, vehicles -- couldn't find, key broke off in the vehicle that I was getting in, but we made it. I want to say to our Police Department, since January 8<sup>th</sup>, Wilmington's finest has seized numerous handguns, one AK47 assault rifle, 700,000 of narcotics in cash, numerous arrest have been made. They are doing a union's job. We will work very close with our friend Tom Gordon the County Executive and the New Castle County Police. We have cross jurisdiction authority but let me make it understandably clear; there will be no metropolitan police force.

Well, I talked about some good things, here's the thing you have to brass yourself for. I have no recourse but to raise our Water and Sewage tax 12%. This will contain the support on infrastructure and our clean drinking water. I want to thank my predecessor and City Council for working to bring this organization, the Water Board to the point where we had to face these increases. We have to keep our infrastructure solid and I want to again thank City Council and predecessor for getting the job done. I do not

like it - - I repeat, I do not like it but leadership comes today with a price in making tough decisions. That is a leader. I've asked my leadership team, my Finance team, to bring me a budget with a bottom line. They came a couple of times, I sent them back - we can do better. They finally came back, I agreed. FY'2014 Operating Budget will be \$146,926,834 with a 2.8% increase over FY'13. Pensions and pension healthcare, increase in medical benefits have gone up, annual employee steps, SAFER Grant that we didn't want to get - that we didn't get, and I want to commend the Budget Office for factoring that in before we lost that grant. I got to take my hat off to you because when I found out we didn't get the SAFER Grant, I didn't know whether to jump out the window or just roll over and just get on the floor and go to sleep but we made it. As I made my commitment during the campaign, nay tax increase, not one city employee laid off.

Ladies and gentlemen, I can stand up here all night, talk about numbers and other things but I think you guys have business to deal with and I really appreciate your time here in this honorable Chamber. Once this budget is brought before City Council and you guys decide you want to do with it, we will already be working on 2015. We have no chose. Again, as I stated earlier, Wilmington is at a crossroads. We are going to run this City like a business. There's no more that will do. There's no more status quo. We will attack waste; we will attack fraud and we will deal with it. Thank you.

President Gregory: On behalf of my colleagues on City Council, I extend my thanks to Mayor Williams for coming before us tonight to deliver his proposed budget for Fiscal Year 2014. City Council's Finance Committee through the leadership of its Chair, Charles "Bud" Freel, is prepared and eager to review the proposal and seek additional information from the Administration during formal budget hearings that start on April 10<sup>th</sup>. Our goal is to be in a position over the next several weeks to develop a final budget for Fiscal Year 2014 that will be presented to Council in late May for a vote. It will be this legislative body in conjunction with the Mayor and with input from the public that would be the determining factors in approving a budget plan for the next fiscal year. We are just beginning to learn in details of the budget tonight so it is difficult to offer an informed assessment individually or collectively of the plan at this time. I can assure you that Council will look very closely at the Administrations' revenue projection and its proposed expenditure which fund employees' salaries, benefits as well as an entire range of government programs and services. Council's review will shed additional light on the Administration's plans for public safety, housing and neighborhood development, new job development and large and small business growth, as well as education and youth initiatives. We will also focus on plans to preserve and improve our water, sewer and wastewater infrastructure and the conditions of our streets. We will be responsible, fair and inclusive. While it's good to start any budget process from the standpoint of not having to request Council's approval for a property tax increase, there is much more to this budget that the public should know and will know as Council moves forward with its review of what the Mayor has proposed. I invite citizens to observe and participate in Council's budget hearings by joining us here in City Council Chambers beginning April 10<sup>th</sup>, or by watching the proceedings live and on replay over WITN, Channel 22 on the Comcast system." Thank you.

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown/Ms. Cabrera, Council returned to regular order of business. Motion prevailed.

**REGULAR ORDER OF BUSINESS - MINUTES**

After reading a portion of the minutes of March 7, 2013, upon a motion of Ms. Walsh, seconded by Mr. D. Brown/Mr. Freel, it was moved they be accepted as written. Motion prevailed.

**TREASURER'S REPORT**

The following Treasurer's Report dated March 21, 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 March 21, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 1,945.02
106	Fire Pension Account	M & T Bank	\$ 876.97
107	Evidence/Found Currency Account	M & T Bank	\$ 239,629.24
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 132,950.41
117	Cement Workers	Wilmington Savings Fund	\$ 33,335.66
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,153.00
130	Payroll	M & T Bank	\$ 222,700.22
131	Pension Payroll Account	M & T Bank	\$ 2,543.24
139	Pension Healthcare Account	M & T Bank	\$ <u>23,847.98</u>
	Total Cash on Hand		\$ <b>679,489.73</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	03/21/13	0.25%	\$ 47.89	\$ 6,991,800.00
116	General	WSFS	CD	03/22/13	0.30%	\$ 871.23	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	03/27/13	0.30%	\$ 985.32	\$ 4,440,000.00
105	Police Pension	WSFS	CD	03/27/13	0.30%	\$ 67.02	\$ 302,000.00
110	Capital <sup>2</sup>	TD	CD	03/28/13	0.25%	\$ 188.06	\$ 807,552.69
110	Capital	WSFS	CD	04/04/13	0.30%	\$ 1,134.24	\$ 2,000,000.00
116	General	WSFS	CD	04/05/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
116	General	WSFS	CD	04/19/13	0.30%	\$ 902.54	\$ 2,000,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,464,000.00
116	General	WSFS	CD	05/03/13	0.30%	\$ 1,052.05	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	05/06/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
116	General	WSFS	CD	05/31/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
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					\$ 1,000,735.00
104	Escrow Pension	Vanguard					\$ 17,478,514.00
104	Escrow Pension	Merrill Lynch					\$ 52,102,844.00
104	Escrow Pension	Edgar Lomax					\$ 25,252,580.00
104	Escrow Pension	Wilmington Trust					\$ 30,818,669.00
104	Escrow Pension	Manning & Napier					\$ 23,881,270.00
104	Escrow Pension	Earnest Partners					\$ 11,620,856.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,614,622.00
116	The Hartford	Deferred Comp.					\$ 32,879,607.00
	Total Investments						\$ 302,005,493.73
	Total Cash on Hand						\$ 679,489.73
	Grand Total						\$ 302,684,983.46

<sup>1</sup> Budget Reserve <sup>2</sup> Lincoln Towers BAN <sup>3</sup> SEU /s/Henry W. Supinski, City Treasurer

**LEGISLATIVE BUSINESS**

President Gregory: We're going to just go to Mr. Freel. I'm not going to call everyone out because that's the only legislation. Mr. Freel.

Mr. Freel: Yes Mr. President. We have five (5) first and seconds to be read this evening.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-009 entitled:

AN ORDINANCE TO AMEND CHAPTER 45 OF THE CITY CODE REGARDING SEWER SYSTEM UNIT CHARGES, WATER RATES AND CHARGES AND STORM WATER RATES AND CHARGES FOR FISCAL YEAR 2014

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-010 entitled:

AN ORDINANCE ESTABLISHING A RATE OF TAXATION ON REAL PROPERTY AND THE TAXABLE PROPERTY OF PUBLIC UTILITIES FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-011 entitled:

AN ORDINANCE TO ADOPT A CAPITAL PROGRAM FOR THE SIX FISCAL YEARS 2014 – 2019, INCLUSIVE

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-012 entitled:

AN ORDINANCE TO ADOPT A CAPITAL BUDGET  
FOR FISCAL YEAR 2014

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-013 entitled:

AN ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

**ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. M. Brown/Ms. Shabazz, Council adjourned at 6:22 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
April 4, 2013*

Council met in regular session on the above date at 6:30 p.m., President Theopolis 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, ten.

**MINUTES**

After reading a portion of the minutes of March 21, 2013, upon a motion of Ms. Walsh, seconded by Mr. D. Brown, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Mr. Freel presented the following two-committee reports:

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

DATE: 4/1/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-007**  
entitled:

A REFUNDING PROJECT ORDINANCE APPROVING AND AUTHORIZING THE FINANCING OF A REFUNDING PROJECT FOR THE DELAWARE ART MUSEUM, INC.; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING THE ISSUANCE OF CITY OF WILMINGTON REVENUE REFUNDING BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000; AND AUTHORIZING OTHER NECESSARY ACTION

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/Samuel Prado  
 /s/Theopalis K. Gregory, Sr., Ex Officio Member

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

Finance Committee Member	Present	Absent with Leave	Absent w/out Leave
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado	X		
Hanifa G.N. Shabazz			X
Loretta Walsh		X	
Theo Gregory	X		

Date: 4/1/13

President and Members of Council of The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-008** entitled:

AN ORDINANCE CONSTITUTING BUDGET AMENDMENT NO. 6 TO ORDINANCE NO. 12-019 TO AMEND THE POSITION ALLOCATION LIST FOR FISCAL YEAR 2013 BY MAKING CHANGES IN THE MAYOR'S OFFICE; AND APPROPRIATE THE USE OF GENERAL FUND

**BALANCE BY AMENDING THE FY2013 OPERATING  
BUDGET ORDINANCE**

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel  
/s/Samuel Prado  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the aforementioned Report with one abstention (M. Brown), was received, recorded, and filed. Motion prevailed.

**TREASURER'S REPORT**

The following Treasurer's Report dated April 4, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON April 4, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 5,055.86
106	Fire Pension Account	M & T Bank	\$ 2,284.60
107	Evidence/Found Currency Account	M & T Bank	\$ 233,870.45
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 382,481.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 26,032.95
117	Cement Workers	Wilmington Savings Fund	\$ 33,335.66
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 1,116.32
130	Payroll	M & T Bank	\$ 209,649.83
131	Pension Payroll Account	M & T Bank	\$ 39,076.14
139	Pension Healthcare Account	M & T Bank	\$ <u>38,700.89</u>
	Total Cash on Hand		\$ <b>991,110.69</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	04/04/13	0.25%	\$ 57.92	\$ 8,455,040.00
116	General	WSFS	CD	04/05/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
116	General	WSFS	CD	04/19/13	0.30%	\$ 902.54	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	04/25/13	0.30%	\$ 1,141.72	\$ 4,790,000.00
105	Police Pension	WSFS	CD	04/25/13	0.30%	\$ 63.16	\$ 265,000.00
110	Capital <sup>2</sup>	TD	CD	04/26/13	0.25%	\$ 84.47	\$ 425,260.75
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General	WSFS	CD	05/03/13	0.30%	\$ 1,052.05	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	05/06/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
116	General	WSFS	CD	05/31/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 986.31	\$ 2,000,000.00
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					\$ 1,005,597.00
104	Escrow Pension	Vanguard					\$ 17,694,738.00
104	Escrow Pension	Black Rock					\$ 51,724,709.00
104	Escrow Pension	Edgar Lomax					\$ 25,731,134.00
104	Escrow Pension	Wilmington Trust					\$ 30,986,619.00
104	Escrow Pension	Manning & Napier					\$ 23,704,680.00
104	Escrow Pension	Earnest Partners					\$ 11,644,082.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,730,081.00
116	The Hartford	Deferred Comp.					\$ 32,465,290.00
	Total Investments						\$ 301,448,674.79
	Total Cash on Hand						\$ 991,110.69
	Grand Total						\$ 302,439,785.48

<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 Ms. Walsh, seconded by Mr. D. Brown/Mr. M. Brown, the following non-legislative resolutions were accepted into the record:

All Council	Commend Housing Opportunities of Northern Delaware, Inc.
Cabrera/Council	Salute Former Director of Economic Development Joseph G. DiPinto
Cabrera	Congratulate Wilmington Police Department Inspector Victor Ayala
Cabrera	Congratulate Wilmington Police Department Captain Sherri Tull
Cabrera	Welcome Arturo Sandoval
Gregory/M. Brown	Sympathy Stacey L. Tymes
Gregory/M. Brown	Sympathy Franklin C. Royal
Gregory/M. Brown	Sympathy Rebecca "Becky" Griffin
M. Brown	Retirement John H. Shehee
Walsh/Shabazz	Farewell Father John Charles Frambles, O.F.M.
Williams	Commend Wilmington Police Department Patrolman Alexander Marino
Williams	Commend Wilmington Police Department Senior Corporal William J. Draper, Jr.
Williams	Commend Wilmington Police Department Officer Sarah Peffer
Williams	Commend Wilmington Police Department Corporal Scott Burris
Wright	Pastor William L. Carter's 10 <sup>th</sup> Anniversary

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown, Council returned to regular order of business. Motion prevailed.

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President. Thank you Sir.

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

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-019 as follows:

**WHEREAS**, Wilmington City Council deems it befitting and proper that the New Castle County Courthouse located at 500 North King Street, Wilmington, Delaware (the "Courthouse") be named the "Leonard L. Williams Justice Center" in honor of Judge Leonard L. Williams' innumerable contributions to the City of Wilmington and to New Castle County throughout his life; and

**WHEREAS**, Judge Leonard L. Williams was a civil rights advocate, an academic scholar, and a philanthropist; and

**WHEREAS**, Judge Williams was one of the first African-American students to attend the University of Delaware and was the fifth African-American to be admitted to the Delaware Bar; and

**WHEREAS**, Judge Williams, under the tutelage of his mentor Louis L. Redding, Esquire, worked on landmark civil rights cases to abolish segregation in education, housing, employment and public accommodations in the State of Delaware; and

**WHEREAS**, the City of Wilmington, on February 4, 1998, as the legal owner of the land parcel known as 500 North King Street, properly executed and recorded with the New Castle County Recorder of Deeds a Declaration of Restriction thereon; and

**WHEREAS**, in honor of Judge Williams' lifelong service to the community, the Declaration of Restriction required that any courthouse built at 500 North King Street be named the "Leonard L. Williams Justice Center"; and

**WHEREAS**, the City of Wilmington, as grantor, and the State of Delaware, as grantee, executed an Agreement for Sale of the 500 North King Street property on or about July 22, 1998 *subject to* the terms of the Declaration of Restriction; and

**WHEREAS**, in conveyance of the said property, a deed was properly recorded on September 30, 1998, with the New Castle County Recorder of Deeds; and

**WHEREAS**, Judge Leonard L. Williams, the Delaware civil rights pioneer, retired Municipal Court Judge and esteemed public servant, died peacefully on March 2, 2013.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that City Council respectfully urges the State of Delaware, as grantee and legal and equitable owner of the Courthouse at 500 North King Street, Wilmington, Delaware, to, with great haste, satisfy its agreed upon obligation of naming the New Castle County Courthouse the "Leonard L. Williams Justice Center" in honor of Judge Leonard L. Williams.

Mr. D. Brown: Yes Mr. President. This Resolution recognizes the contributions of Judge Leonard L. Williams, who was civil rights advocate and academic scholar and philanthropist here in the City of Wilmington, New Castle County and the State of Delaware. I want to take a minute to - - because I think it's important to note that Judge Williams was also one of the first African American students at the University of Delaware and was also the fifth African American to be admitted to the Delaware Bar. He has been a mentor to many minorities of various ethnicities and was very involved in the development and the continued success of the multi-cultural judges and lawyers Division of Delaware State Bar and has contributed to many activities and initiatives throughout our State. So, this Resolution suits that naming of the New Castle County Courthouse be in his honor as the "Leonard L. Williams Justice Center."

President Gregory: Thank you. Anyone else?

Ms. Cabrera: I would like to be a co-sponsor as well.

President Gregory: Ms. Cabrera as a co-sponsor.

Mrs. Seijo: So noted.

President Gregory: I was in City Council in the 90's when the Council voted as a part of the transfer of the land where the courthouse now sits from the City to the State. There was a restrictive covenant or some language put in that was duly recorded with the Deeds in the Recorder of Deeds. So anyone buying the property would have noted that they bought the property with that covenant. So, it's not just a Resolution we're sending to Dover saying, name the property, it is in fact a part of the legal process that took place in the 90's. The judicial system has elected, I guess technically not to name the courthouse because it's New Castle County, Kent County Courthouse and Sussex Courthouse. But if you want to give it a name at this point in time it would be consistent with the restrictive covenant or restrictive language that exist in the Deed and is duly recorded with the Deed with the Recorder of Deeds. Anyone else? Clerk will call the roll.

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

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: No legislation Mr. President. Thank you.

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: No legislation this evening Mr. President.

President Gregory: Mr. Freel.

Mr. Freel: One Ordinance for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-007 entitled:

A REFUNDING PROJECT ORDINANCE APPROVING  
AND AUTHORIZING THE FINANCING OF A  
REFUNDING PROJECT FOR THE DELAWARE ART  
MUSEUM, INC.; MAKING CERTAIN FINDINGS WITH

RESPECT THERETO; AUTHORIZING THE ISSUANCE  
OF CITY OF WILMINGTON REVENUE REFUNDING  
BONDS IN AN AGGREGATE PRINCIPAL AMOUNT  
NOT TO EXCEED \$24,000,000; AND AUTHORIZING  
OTHER NECESSARY ACTION

Mr. Freel: Yes Mr. President. Briefly, in 2003 the City awarded to the Delaware Art Museum revenue bonds to do an expansion of the art museum. I think they did a beautiful job. Hopefully most of my colleagues agree that the art museum is a true asset for the City. So, what they're doing now is just refinancing the outstanding amount obviously to take opportunity with better interest rates that exist today. I did want to just read the part of one sentence from our legal counsel Saul Ewing and it says, "the Bond is a special and limited obligation to the City and does not constitute a general obligation or liability of or a charge against the general credit or taxing powers of the City but shall be payable solely from amounts payable by the borrower on the loan agreement note and the mortgage." So, there's no obligation on the City's part here if there is a default in anyway of the loan.

President Gregory: Thank you. Any other comments? Clerk will call the roll.

Upon a motion of Mr. Freel, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh and Council President Gregory. Total, ten. Nay, none. Absent, Council Members Congo, Shabazz and Wright. Total, three.

President Gregory: Declare it adopted. Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President. I have three (3) Resolutions tonight, 3804.

Mr. M. Brown presented Resolution No. 13-020 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 Criminal Justice Council for State funds in the amount of \$20,000.00; and

**WHEREAS**, the said grant will provide for a Domestic Violence Warrant Execution Team; and

**WHEREAS**, the said grant require a local match in the amount of \$5,000.00; 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 grant from the State of Delaware Criminal Justice Council for \$20,000.00 for the aforesaid purpose.

**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 Fund to Combat Violent Crime in the amount of twenty thousand dollars (\$20,000.00).

Mr. M. Brown: Yes Mr. President this a grant the Wilmington Police Department has file with the Criminal Justice Council for \$20,000 and the only matching fund is \$5,000. This match - - this grant is for Domestic Violence Warrant Execution Team.

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

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

President Gregory: Declare it adopted. Mr. Brown.

Mr. M. Brown: Yes Mr. President. I have another Resolution to present.

Mr. M. Brown presented Resolution No. 13-021 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 Criminal Justice Council for State funds in the amount of \$5,000.00; and

**WHEREAS**, the said grant will provide for Cold Case Investigation Technology; and

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

**WHEREAS**, for timing purposes, 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 grant from the State of Delaware Criminal Justice Council for \$5,000.00 for the aforesaid purpose.

**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 Criminal Justice Council in the amount of five thousand dollars (\$5,000.00).

Mr. M. Brown: Yes Mr. President. This is just a - - not just a just. This is a \$5,000 grant to be - - for the Cold Case Investigation Technology down at the Wilmington Police Department. There is no matching fund for this.

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

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

President Gregory: Declare it adopted. Mr. Brown.

Mr. M. Brown: Yes Mr. President. I have one more Resolution to present and I would ask the Clerk to read it in its entirety.

Mr. M. Brown presented Resolution No. 13-022 as follows:

**WHEREAS**, James M. Baker arrived in Wilmington in 1966 via a Greyhound bus on an assignment as a VISTA community worker; and

**WHEREAS**, from that non-descript arrival nearly 50 years ago until the present day, James M. Baker emerged, through his decades of community involvement, as one of the most respected and admired public figures in the history of the City of Wilmington; and

**WHEREAS**, James M. Baker's knowledge and history of the people of Wilmington earned him the trust of the public he served for 12 years as a District City Council Member, 16 years as President of Wilmington City Council and 12 years as Mayor of Wilmington; and

**WHEREAS**, James M. Baker was the first African American to be elected President of Wilmington City Council and is the only Mayor in the history of our City to serve three consecutive four-year terms; and

**WHEREAS**, James M. Baker's early public service career was highlighted by accomplishments such as an effort to revitalize Wilmington's historic Riverfront, creation of the City's rainy day budget reserve to safeguard against fiscal crises, tax exemptions for senior residents, the Wilmington Home Ownership Program, the Design Review Commission, the Advisory Commission on Minority Affairs, legislation outlawing discrimination, and the establishment of the Wilmington Civil Rights Commission; and

**WHEREAS**, James M. Baker's tenure as Mayor will be forever remembered for its strong fiscal management initiatives, a stabilization and strengthening of Wilmington's neighborhoods through increased homeownership, new and expanded business development, continued development of the City's riverfronts and adoption of Wilmington's first-ever greening program—all of which will produce benefits for the City long into the future; and

**WHEREAS**, James M. Baker's mayoral terms in office resulted in a period of growth and prosperity not seen in the City of Wilmington since World War II, and his energy, creativity, and passion to serve resulted in a remarkable legacy that will long support and inspire generations of Wilmingtonians.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council deems it necessary and proper to name the newly constructed City Council Conference Room in honor of former Mayor and City Council President, James M. Baker.

Mr. M. Brown: Yes Mr. President. That is exactly why I asked the Clerk to read in its entirety. It speaks for itself Mr. President. The former Mayor was the longest tenure sitting President of City Council. And what you have done since you've taken - - been elected to that office and come up and your innovation and the way that you have revitalized some movement within Council itself and the positions that has been taken in terms of making Council look more presentable, you have presented us with a conference room. A conference room Mr. President and I thought it would be very - I thought it would be very well deserved by naming that conference room after the longest serving President, which is the former Mayor James M. Baker. And I had asked previously for the support of the entire Council and they've all said yes when I spoke to them about. So, that is why this Resolution was read in full.

President Gregory: Any other comment?

Ms. Cabrera: Can I be added?

President Gregory: Everybody is on the Resolution.

Mrs. Seijo: Cabrera.

President Gregory: Isn't everyone on the Resolution?

Mrs. Seijo: I'm not sure.

President Gregory: Yeah, I think so but if you're not, you're on it. Mr. Prado.

Mr. Prado: I just wanted to make sure because I didn't see the other Council members' names on here that's why but I wanted to be a co-sponsor.

President Gregory: Everyone's name is on the Resolution.

Mr. M. Brown: Not on the paper Sir.

President Gregory: It's not on the paper?

Mr. M. Brown: No, it's not.

President Gregory: Okay. So, we'll put everyone's name on it. Mr. Brown already counts has everyone. Ms. Cabrera.

Ms. Cabrera: Yeah, I didn't want to seem over-zealous but I didn't see my name on there.

President Gregory: Ms. Walsh.

Ms. Walsh: So when a little plaques done for this, is all this going to be on the plaque?

President Gregory: It won't be a little plaque then.

Ms. Walsh: Yeah, that's what I was thinking.

President Gregory: Okay, all right but....

Ms. Walsh: I was wondering if you guys were giving him ten percent. No?

President Gregory: We're going to do (inaudible) stream - - electronic, where the words just keep going on like that.

Ms. Walsh: (inaudible) the other side.

President Gregory: Okay but the only questions raised about the this was not the merit of it but the questions that was raised, shouldn't we do more and certainly we will look to do more but this is a start and this is immediate. Also, you should not give me credit like - - you should not give me credit for a lot of things that take place in Council. The person who thought of doing the conference room was Marchelle Basnight, our Deputy Clerk. It was not my idea, it was her idea and then we talked it over but that was not me that was her. Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: No business today. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: Yes, I have one piece of legislation.

Ms. Walsh presented and called for the third and final reading Ordinance No. 13-008 entitled:

AN ORDINANCE CONSTITUTING BUDGET AMENDMENT  
NO. 6 TO ORDINANCE NO. 12-019 TO AMEND THE  
POSITION ALLOCATION LIST FOR FISCAL YEAR 2013  
BY MAKING CHANGES IN THE MAYOR'S OFFICE; AND  
APPROPRIATE THE USE OF GENERAL FUND BALANCE  
BY AMENDING THE FY2013 OPERATING BUDGET  
ORDINANCE

Ms. Walsh: This is a request by the Mayor's Office for actually an employee assigned to Constituent Services who was working out of class for quite a bit and they went through all the proper channels. So, it is an increase and a change in her job description.

President Gregory: Any other questions? Clerk will call the roll.

President Gregory: I thought you were going to abstain?

Mr. M. Brown: Excuse me.

Mrs. Seijo: Michael.

Mr. M. Brown: Oh, I apologize. I need to remove my name from my vote  
Mr. President.

President Gregory: That's correct. You're abstaining.

Mrs. Seijo: You're marking Present?

Mr. M. Brown: I'm going to abstain. I apologize.

President Gregory: Because of a possible conflict.

Mr. M. Brown: That is correct. I was not thinking. Thank you Mr. President for looking over here.

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh and Council President Gregory. Total, nine. Nay, none. Present, Council Member M. Brown. Total, one. Absent, Council Members Congo, Shabazz and Wright. Total, three.

President Gregory: Declare it adopted. Mr. Chukwuocha has legislation for Mr. Wright.

Mr. Chukwuocha: Yes Mr. President. I have a Resolution to present on behalf of At-Large Member Wright.

On behalf of Mr. Wright, Mr. Chukwuocha presented Resolution No. 13-023 as follows:

**WHEREAS**, by way of House Bill No. 9 an amendment to the Constitution of the State of Delaware was proposed during the 146<sup>th</sup> Session of Delaware General Assembly; and

**WHEREAS**, House Bill No. 9 is the first leg of a Constitutional Amendment that eliminates the existing five-year waiting period before eligible felons who have fully discharged their sentences may have their voting rights restored; and

**WHEREAS**, House Bill No. 9 was adopted by at least two-thirds of all Members elected to each house of the General Assembly and also was supported by resolution of the 105<sup>th</sup> Session of Wilmington City Council; and

**WHEREAS**, House Bill No. 10 is the second leg of the Constitutional Amendment that would eliminate the five-year waiting period before eligible felons may have their voting rights restored; and

**WHEREAS**, this Act, which is sponsored by State Representative Helene Keeley on behalf of the late Hazel D. Plant, was recently passed by a 32-9 bi-partisan vote by the Delaware House of Representatives and shall now be known as the "Hazel D. Plant Voter Restoration Act."

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council fully supports the "Hazel D. Plant Voter Restoration Act" and further encourages all Senate members to vote to approve House Bill No. 10.

Mr. Chukwuocha: Yes Mr. President. This is a Resolution to galvanize the fork for House Bill No. 10, which is the second leg of the Constitutional Amendment that would eliminate the five-year waiting period for eligible felons to restore their voting rights. It's being sponsored by Representative Helene Keeley on behalf of the late Representative Plant. And it recently passed in a bi-partisan vote 32-9 in the House of Representatives and it is - - the Act is known as the "Hazel D. Plant Voter Restoration Act." We're hoping and encouraging with this Resolution to encourage our Senators, the members of Senate to support this Bill and our Resolution again to galvanize that support Mr. President.

President Gregory: Any other comments or questions? Mr. Williams.

Mr. Williams: Just a quick question Mr. President. Who would monitor this and how would it be monitored?

President Gregory: I don't know.

Mr. Chukwuocha: I don't know as well.

President Gregory: Let me ask - - let me answer your question.

Mr. Williams: Yes Sir.

President Gregory: You said who would monitor this. What is it to be monitored?

Mr. Williams: It says, "once they are fully discharged their sentence". Who alternately makes the determination of sentence to discharge? All fines, everything has been paid?

Ms. Walsh: Exactly.

President Gregory: Either - - there will be a probation officer or either The Board of Pardons...there will be an entity in the State to do that.

Mr. Williams: Thanks.

President Gregory: Just from a system standpoint. Any other questions or comments?

Ms. Walsh: Mr. President, if I can just elaborate a little bit on that.

President Gregory: Absolutely.

Ms. Walsh: Because of the amount of victims that might be looking at this too - - that does include all the fines including the victims compensation fine where one may have had an assessment put on them. So, yes, everything has to be done.

President Gregory: To that - - in (inaudible) a pardon, you have to be three to five years removed from the consequences resulting from your conviction. So it's absolutely the Board of Pardons. Okay. Clerk will call the roll.

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

President Gregory: Declare it adopted. Okay. We're going to go to petitions and communications.

### **PETITIONS AND COMMUNICATIONS**

The Council Members announced committee and civic meetings, and community events in their districts as well as spoke of Mayor Williams' town hall meetings. Council Members encouraged residents to become active and involved in their civic associations and as well as to get involved in other events going on throughout their neighborhoods. In addition, residents were encouraged to call in concerns and issues (i.e. nuisance issues) and to be engaged in their communities around those issues. Comments were made around community policing restructuring and the drop of community policing officers from 24 to 9. Comments were also made regarding crime (i.e. shootings) and the need of attention regarding this matter. Residents were encouraged to support and patronize not just the local businesses but also the arts organizations and little shops. President Gregory stated that he looks forward to working with each Council Member as they move into the budget process. He also stated that beginning May 1<sup>st</sup> he will be attending neighborhood meetings through a special invite either by a Council member and/or through any neighborhood association. President Gregory stated to the members of Council that it has been a pleasure working with them since their installation. He feels this is the beginning of a really good Council.

### **ADJOURNMENT**

Upon a motion of Ms. Walsh, and properly moved by President Gregory, Council adjourned at 7:49 p.m. Motion prevailed.

Attest:

  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
April 18, 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 April 4, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

No committee reports presented this evening.

### **TREASURER'S REPORT**

The following Treasurer's Report dated April 18, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

*[This space left intentionally blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON April 18, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 5,055.86
106	Fire Pension Account	M & T Bank	\$ 2,284.60
107	Evidence/Found Currency Account	M & T Bank	\$ 233,870.45
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 382,481.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 152,894.42
117	Cement Workers	Wilmington Savings Fund	\$ 33,339.63
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 1,116.32
130	Payroll	M & T Bank	\$ 194,263.43
131	Pension Payroll Account	M & T Bank	\$ 10,266.32
139	Pension Healthcare Account	M & T Bank	\$ <u>32,057.11</u>
	Total Cash on Hand		\$ <b>1,067,136.13</b>

*[This space left intentionally blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	04/18/13	0.25%	\$ 61.04	\$ 8,911,893.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
116	General	WSFS	CD	04/19/13	0.30%	\$ 902.54	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	04/25/13	0.30%	\$ 1,141.72	\$ 4,790,000.00
105	Police Pension	WSFS	CD	04/25/13	0.30%	\$ 63.16	\$ 265,000.00
110	Capital <sup>2</sup>	TD	CD	04/26/13	0.25%	\$ 84.47	\$ 425,260.75
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General	WSFS	CD	05/03/13	0.30%	\$ 1,052.05	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	05/06/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
116	General	WSFS	CD	05/31/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 3,863.01	\$ 10,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 986.30	\$ 2,000,000.00
116	General	WSFS	CD	06/10/13	0.30%	\$ 1,084.93	\$ 2,000,000.00
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					\$ 1,005,597.00
104	Escrow Pension	Vanguard					\$ 17,694,738.00
104	Escrow Pension	Black Rock					\$ 51,724,709.00
104	Escrow Pension	Edgar Lomax					\$ 25,731,134.00
104	Escrow Pension	Wilmington Trust					\$ 30,986,619.00
104	Escrow Pension	Manning & Napier					\$ 23,704,680.00
104	Escrow Pension	Earnest Partners					\$ 11,644,082.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,730,081.00
116	The Hartford	Deferred Comp.					\$ 32,694,939.00
	Total Investments						\$ 302,135,176.79
	Total Cash on Hand						\$ 1,067,136.13
	Grand Total						\$ 303,202,312.92

<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 Ms. Walsh, seconded by Mr. Freel, the following non-legislative resolutions were accepted into the record:

D. Brown	Congratulate Howard High School of Technology Boys State Basketball Champions
D. Brown	Faith & Deliverance Outreach Ministries, Inc. 11 <sup>th</sup> Anniversary
M. Brown/Gregory	Sympathy Garfield Stallings, Jr.
Cabrera	Recognize Former Wilmington Police Department Inspector
Nancy Dietz	
Chukwuocha	Recognize Harlan Elementary Basketball Team and Cheerleaders
Congo	Commend 8 year old Joseph Schorah
Gregory	Recognize KinFolk Program
Dorsey Walker	Congratulate St. Elizabeth High School Girls State Basketball Champions

**LEGISLATIVE BUSINESS**

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you Sir.

President Gregory: Councilman Congo.

Mr. Congo: Yes Mr. President. I have two Resolutions to present.

Mr. Congo presented Resolution No. 13-024 as follows:

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

**WHEREAS**, the City has been approved by the Department of Education for the State of Delaware to receive approximately \$560,000.00 in grant funds from the Federal government for the operation and cost of the Summer Food Service Program (the "Food Program"), which is set to run from June 17, 2013 through August 16, 2013; and

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

**WHEREAS**, the City is prepared to put Contract 14005PR – Summer Food Service Program (the “Contract”) – for vendors to provide meals for eligible participants in the Food Program out for bidding (a copy of the Contract is on file with the Division of Procurement and Records); and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described Federal grant funds received from the State of Delaware for the Program be accepted and approved, and the Mayor or his designee, and the City Clerk are hereby authorized and directed to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Congo: I guess Mr. President, as it was just explained. This is just a grant for us to be able to feed a lot of the children and their families during the summer. I believe it feeds around 1200 children a day and there are no matching funds. It’s an annual grant for the Summer Youth Program.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Congo, 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. Nays, none.

President Gregory: Declare it adopted.

Mr. Congo: Mr. President, I have another Resolution to present.

Mr. Congo presented Resolution No. 13-025 as follows:

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

**WHEREAS**, the City’s Department of Parks and Recreation has applied to the Delaware Criminal Justice Council, pursuant to its Mini-Grant Program, to receive approximately \$12,257.00 in a grant from the State of Delaware for the ‘Taking It to the Streets’ program which aims to implement prevention strategies and education presentations to at-risk youth regarding substance abuse and involvement in criminal activities; and

**WHEREAS**, the said grant does not require a mandatory match by the City; and

**WHEREAS**, to timely qualify for the grant and receive the funding, the application for the grant had to be submitted in advance of the time for City Council to approve the grant application; and

**WHEREAS**, the Department of Parks and Recreation has recommended that City Council approve the City's grant application to the Delaware Criminal Justice Council Mini-Grant Program.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the application for the grant submitted to the Delaware Criminal Justice Council for the 'Taking It to the Streets' program be approved, and that the Mayor and the City Clerk are hereby authorized to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Congo: Yes Mr. President. This is a new grant that the Parks & Rec. Department has come with just to try to provide more outreach to our city's youth. I think it's a great effort what they're trying to implement. There are no matching funds.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Congo, 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. Nays, none.

President Gregory: Declare it adopted. Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-026 as follows:

**WHEREAS**, Wilmington City Council believes that the residual impact of violence has led to significant disinvestment by the business community, mass migration of single family households, reduction of property values and an overall sense of hopelessness in the City of Wilmington. The impact of violent behavior reverberates beyond the immediately impacted neighborhood and spreads to the municipalities throughout our state; and

**WHEREAS**, Wilmington City Council supports the Safe Neighborhood Justice Reinvestment Resolution which implements strategies and public policies to reduce crime, promote public safety and create safe neighborhoods within the City of Wilmington and throughout the State; and

**WHEREAS**, Wilmington City Council recommends that the Delaware General Assembly establish a Community Court in the City of Wilmington; and

**WHEREAS**, Wilmington City Council recommends that the Delaware General Assembly adopt programs and services within the Community Court by the Delaware Department of Corrections, Department of Labor, Department of Education, Department of Health and Social Services, and Department of Children, Youth and their Families; and

**WHEREAS**, the Community Court seeks to give certain nonviolent defendants in the State of Delaware a second chance through innovative alternatives to incarceration. One such example offers nonviolent felony drug offenders an opportunity to avoid incarceration and to receive education and workforce training, along with social services; and

**WHEREAS**, the goal of this recommendation is to reduce recidivism without compromising public safety and to help nonviolent defendants work towards a more successful and productive future.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council respectfully urges the State of Delaware to create the proposed Community Court, thereby affording nonviolent defendants alternatives to incarceration and an opportunity to prevent the reoccurrence of criminal behavior.

Mr. D. Brown: Yes Mr. President. There's been great dialogue nationally and locally around how we can implement a justice reinvestment approach to criminal justice. Recently, here locally there was an event that was highlighted in yesterday's paper around justice reinvestment. This Resolution supports an initiative that began about five (5) years ago when there was a safe surrender program that worked with the Delaware courts, the federal courts, and many of our law enforcement agencies, and from that the State's Justice of Peace Court has been working over those last five (5) to six (6) years on how to implement a community court and looking at doing that here in the City of Wilmington. A portion of this information has been presented in prior sessions of Council to members that were part of the previous session. So, this Resolution is simply saying that we as a body support the State initiative of Justice Reinvestment and the development of this community court.

President Gregory: Councilwoman Walsh.

Ms. Walsh: Mr. President, first I'd like to be added to this.

Mrs. Seijo: So noted.

Ms. Walsh: Second of all, we did have one judge in Court of Common Pleas, Judge Herlihy, not Judge Herlihy, Judge Flickinger, who did put together what he was calling somewhat of a drug court. So, that those who might even repeat offenders were caught with substance in their system, that rather than being re-incarcerated, that they would be allowed to follow certain rules and to enter into education programs and blah, blah, blah. Well, he's retiring. I have no idea. I haven't had that much

involvement with a court for over a year now. So, I don't know if it's going to continue if other judges have bought into it but this is something that should be done in all the courts in our State.

President Gregory: Right. I believe Judge Rocanelli administers that program now.

Ms. Walsh: Okay, good.

President Gregory: Councilman Brown, Michael.

Mr. M. Brown: I'd like to be added.

Mrs. Seijo: So noted.

President Gregory: Councilwoman Shabazz.

Ms. Shabazz: I too would like to be added.

Mrs. Seijo: So noted.

President Gregory: Councilwoman Walker, Councilman Freel, I mean Williams.

Mrs. Seijo: Williams has to be added. Sure, so noted.

President Gregory: And Walker.

Mrs. Seijo: Walker.

Ms. Dorsey Walker – Dorsey Walker.

Ms. Cabrera: Be added as co-sponsor.

President Gregory: Councilwoman Cabrera.

Ms. Dorsey Walker: Dorsey Walker.

Mrs. Seijo: Dorsey Walker, yes ma'am.

Ms. Dorsey Walker: Thank you.

Mrs. Seijo: Cabrera.

President Gregory: Clerk, 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: 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.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-027 as follows:

**WHEREAS**, the National Rifle Association (the "NRA") provides 'ArmsCare Plus' Firearms Insurance to NRA members in good standing, which provides protection for their legal firearms and accessories up to \$1,000,000 in coverage. Accessories include scopes, rings, mounts, slings and sling swivels, which are attached to the insured firearm; and

**WHEREAS**, ArmsCare Plus covers firearms and accessories against direct physical loss, damage, fire and theft where homeowners insurance policies fall short. ArmsCare Plus also covers theft from a vehicle when the theft is the result of breaking and entering a locked vehicle or locked portion of a vehicle; and

**WHEREAS**, Wilmington City Council urges that the Safe Neighborhoods Firearms Insurance Resolution be adopted as Delaware State Law; and

**WHEREAS**, Wilmington City Council recommends by this Resolution that the enactment of Safe Neighborhoods Firearm Insurance Resolution read as follows:

1. To require that individuals secure liability insurance before obtaining a license to own a firearm;
2. A person in the State of Delaware who owns a firearm shall obtain and continuously maintain an active liability insurance policy in an amount no less than \$250,000.
3. The insurance policy required shall cover any and all damages resulting from negligent acts, or willful acts not undertaken in self-defense, involving the use of the insured firearm while it is owned by the policy holder.

4. Failure to maintain required insurance policy shall result in the immediate revocation of the firearm owner's registration, license and any other privileges to own a firearm.
5. A person shall be presumed to be the owner of a lost or stolen firearm until such loss or theft is reported to the Delaware State Police or other designated agency.
6. A person who owns a firearm on the effective date of this legislation shall obtain the insurance required by this section within 30 calendar days of the effective date.
7. The requirement of this section shall not apply to a peace officer who is authorized to carry a firearm.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council respectfully urges the State of Delaware to enact legislation which requires liability insurance to lawfully own and possess a firearm and contains similar provisions to those found herein.

Mr. D. Brown: Yes Mr. President. This Resolution speaks to individuals that own a firearm barring those that are law enforcement officers, that they would have a level of liability insurance for their firearm. Apart of a larger conversation that's been had within the State but it's also supported by an organization that we support, which is National League of Local Government or National League of Cities. So, again it's not - - it's very specific in how it's presented and the NRA (inaudible) they provide this to their members at a billion dollar level. This Resolution is just asking that firearm owners have it at a lower level in addition to having it at a lower level, it's also important to understand that individuals traditionally have this insurance through their homeowner insurance. So that will be incorporated into this.

President Gregory: Councilman Williams.

Mr. Williams: Just a quick question Mr. President. Under House Bill 218 as an amendment to the Patriot Act, retired law enforcement officers are also entitled to carry a firearm. Will that fall under this provision?

President Gregory: Yes.

Mr. Williams: Thank you.

President Gregory: Councilwoman Walsh.

Ms. Walsh: I think that some people remember that I did the first gun control bill on this floor. So, I am a major proponent of stopping guns getting into anybody's hands. My concern about this is once again the State legislature prohibits us from passing any sort of gun control law. There is a bill being introduced in Dover as we speak hopefully that rescinds that which - - we're hoping very much that it's going to pass. But until that's done, nothing we send down to them really matters and also unfortunately, to me this is increasing the membership NRA, which I will never do because it would be cheaper to get the insurance through the NRA where you're automatically insured if you have certain things than it would be to pay the insurance on those certain things. So, for that I'll vote present so I don't vote against because I will never vote against anything that would limit the amount of guns in individual hands. But for that alone, I'm sorry, I can't support it.

President Gregory: Councilman Darius Brown.

Mr. D. Brown: Thank you Mr. President. The NRA language is a point of background - understanding the spirit of the Resolution and also ...

Ms. Walsh: Oh no. I know you didn't mean to increase membership in the NRA.

Mr. D. Brown: ...right, right. So, the NRA information is just citing what the level of insurances that NRA offers their members. Saying that it's reasonable for us to - through legislation request that individuals that own a firearm have insurance at a certain level and that level does not met the high standard of the NRA.

President Gregory: Do you have any idea of how much premium would be?

Mr. D. Brown: The premium would be around \$200 per month.

President Gregory: Per month?

Mr. D. Brown: Per month. Yes Sir.

President Gregory: You got some? Mr. Prado.

Mr. Prado: That was one of my questions. That seems like a lot of money I think. What is insurance for though?

Mr. D. Brown: It's to own a firearm. Just like you own a car, you have insurance for your car. You'll have insurance for your firearm.

Mr. Prado: But I guess I don't understand. With my car insurance if I get in an accident that's why I have insurance. Is that what gun insurance is too?

Mr. D. Brown: Correct.

Mr. Prado: So...

President Gregory: That's if the gun is improperly used, not if it's properly used.

Mr. D. Brown: Correct.

Mr. Prado: What's an example though of gun insurance - - an incident where a gun insurance is used?

President Gregory: It's when - - if the gun is properly used, the insurance doesn't kick in. It's when it's improperly used - - reckless, negligent, stolen - you don't report it stolen, sufficient amount time and then someone uses the gun. It's when improperly used is when the insurance will kick in. Councilman Congo.

Mr. Congo: Yes, thank you Mr. President. I do think that it's a good piece in theory but I think there are a few road blocks that prevent from being like a really, really great piece. One of them is just that premium that we heard. I think it's pretty unfair for us put that type of burden on a gun owner if they have to pay an additional \$200 a month. I think that's a pretty (inaudible) amount to pay for insurance. So, I probably will be following Councilwoman Walsh's direction. I will never want to vote against anything that's trying to encourage some type, some form of gun control but it's hard to support this piece based on that. Thank you.

President Gregory: Thank you.

Mr. Wright: Thank you Mr. President. Just for me personally, I guess I don't have enough knowledge to really vote in a certain way for this. So, I will be voting present as well. I don't - - I guess I will say I'm ignorant to some degree as to all the facets of this Resolution in what it can or will do and implications thereof. So, not seeing what actually has been put forth or the genesis or document for this, I just have to present as well. Thank you.

President Gregory: Councilwoman Shabazz.

Ms. Shabazz: Thank you Mr. President. I have a couple of questions. Is this Resolution is that establishing a safe neighborhood firearm insurance or is this the Safe Neighborhood Firearm Insurance is already a program?

Mr. D. Brown: That is a title of the Resolution.

Ms. Shabazz: Is the title of the Resolution.

Mr. D. Brown: Of the Resolution, not of the program. The Program is your traditional insurance that you can get through State Farms, Geico any other insurance agency. It's not particularly just NRA. Again, NRA was used because NRA has such a high level.

Ms. Shabazz: I understand that. My other question is if, are you saying that if a person that insurance policy would cover if someone used that gun and in a violent act and then the insurance will kick in to cover the person that was shot by the insured gun?

Mr. D. Brown: Correct.

President Gregory: Councilman Brown, did this come out of your committee?

Mr. M. Brown: No Sir.

President Gregory: Did this go through a committee process?

Mr. D. Brown: It's a Resolution.

Ms. Shabazz: It's still can go through.

Mr. D. Brown: It's a Resolution. It's not an Ordinance.

Mr. Wright: Resolution can go....

President Gregory: Being an attorney if a gun is used improper, I can sue you anyway.

Mr. Wright: Right.

President Gregory: I get to your personal assets, if you have any personal assets. If I pay \$200 a month for a premium, I guess the deterrence is for me to get the gun because I don't want to pay \$200. The deterrence is not for me using it in a proper. So in all likelihood, me, as a legitimate citizen who wants to carry a gun, I'm not paying \$200 a month. Now you've now chilled my ability to carry a gun to protect myself. So, I'm not so sure that this does what it's designed to do. That's the reason why I asked if it went into committee and out. But we do bring Resolution directly to the floor?

Mr. D. Brown: That is correct.

President Gregory: I'm good with that. Dorsey without a hyphen Walker.

Ms. Dorsey Walker: My only concern pretty much what you just said. I have a lot of retired public safety officials in my district and I'm concern about the fact that - - and they've already talked to me about this because I believe they kind of knew something was coming down the pike, that they would not be in support of something like this. And, do I have a lot of law abiding citizens in my district - - have a little bit of you know, a little bit of everything. But the law abiding citizens I definitely don't want them to kind of fall under this prevue of having to pay insurance on top of all their other bills in order to be able to have a firearm.

President Gregory: Actually not to give legal advice but I think homeowners insurance may cover some conduct that takes place in and about a person's home. Your car insurance may cover some aspect of improper conduct in and about the car. Yeah?

Mr. D. Brown: Thank you Mr. President. I appreciate the dialogue of my colleagues tonight. I think this is something that could use a few more conversation around and so I'll hold the Resolution for tonight. Thank you Mr. President.

President Gregory: Thank you.

Mrs. Seijo: Thank you.

Although the above aforementioned Resolution was properly moved by Mr. D. Brown and seconded by Ms. Walsh, after extensive discussion Mr. D. Brown held Resolution No. 13-027 (Agenda No. 3811).

President Gregory: You have another Resolution?

Mr. D. Brown: I have another Resolution to present Mr. President.

President Gregory: Mr. Freel has to leave. He asked to be excused.

Mr. D. Brown presented Resolution No. 13-028 as follows:

**WHEREAS**, Wilmington City Council believes violence in neighborhoods and communities exacts a toll that goes far beyond intended or unintended victims and their families. Witnessing violence, or living in a community overcome by violent activities, leads to physical and mental health issues, exacerbates widespread unhealthy behavior and creates a diminished sense of community wellbeing; and

**WHEREAS**, Wilmington City Council supports the Safe Neighborhood Gun Confiscation Resolution which implements strategies and public policies to reduce crime, promote public safety, and create safe neighborhoods within the City of Wilmington and throughout the State of Delaware; and

**WHEREAS**, the Wilmington City Council recommends that the Delaware General Assembly create an online data base established for the purpose of identifying

persons who become prohibited from owning or possessing a firearm subsequent to the date of ownership; and

**WHEREAS**, the online data base will compare each new felony conviction, restraining order or mental instability incident, and law enforcement will contact the prohibited person and assure that the gun is removed or confiscated from that person no longer eligible to own or possess the firearm; and

**WHEREAS**, no legal gun owner will be inconvenienced and no legally owned weapons will be confiscated.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Wilmington City Council urge the Delaware General Assembly to create a data based mechanism for detecting lawful firearm owners who subsequently become prohibited from firearm ownership for the purposes of confiscating such firearms.

Mr. D. Brown: Thank you Mr. President. This Resolution asks the Delaware General Assembly to create an online data base establish for the purpose of identifying persons who become prohibited from owning or possessing a firearm subsequent to the date of their ownership. Many cases that we may be familiar with are in domestic cases or individuals may be a gun owner and then after an incident around domestic violence in the court, they are no longer allowed or they're prohibited from being a legal gun owner.

President Gregory: On the question. I did on the question, didn't I? Clerk will call the roll.

Mrs. Seijo: Thank you.

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 Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, ten. Nays, none. Present, Council Member Williams. Total, one. Absent, Council Members Freel and Wright. Total, two.

President Gregory: Declare it adopted.

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

Mr. D. Brown presented Resolution No. 13-029 as follows:

**WHEREAS**, there has been an on-going effort by the State of Delaware Department of Justice to crack down on violent criminals; and

**WHEREAS**, legislative action is needed to toughen penalties for gun related violence; and

**WHEREAS**, Attorney General Joseph R. Biden, III and the Delaware General Assembly will propose measures that will focus on violent criminals who are prohibited from possessing firearms and continue to break the law and threaten the safety of the community; and

**WHEREAS**, the legislation as proposed by the General Assembly would:

**Impose a 1 year mandatory sentence for those convicted of unlawfully carrying a concealed firearm. Currently there is no minimum mandatory sentence for this crime.**

**Add the crime of "Possession of a Firearm During the Commission of a Felony" to the list of serious violent felonies that can trigger enhanced prison sentences under Delaware's habitual offender statute. The "Possession of a Firearm During the Commissions of a Felony" was not an offense when the habitual offender statute was enacted in 1970.**

**Significantly increase the prison sentences for violent offenders who are convicted of possessing a gun. Under current law the following minimum mandatory jail sentences apply: 1 year if the offender is previously convicted of a violent felony; 3 years if the offender committed a previous violent felony within 10 years; and 5 years if the offender was previously convicted of 2 or more violent felonies. This bill would increase those minimum mandatory jail sentences to 3 years if the offender is previously convicted of a violent felony; 5 years if the offender committed a previous violent felony within 10 years; and 10 years if the offender was previously convicted of 2 or more violent felonies.**

**Include juvenile adjudications for violent felonies in triggering the minimum prison sentences. Although juveniles found guilty of violent felonies are prohibited from possessing a gun, those juvenile "adjudications" under current law do not count as convictions that would trigger minimum jail sentences if they are later convicted of a gun offense.**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council supports Attorney General Joseph R. Biden, III and the General Assembly on their Criminal Justice Proposal to Toughen Penalties for Criminals Committing Crimes with Guns and encourages all General Assembly members to vote to approve the legislation.

Mr. D. Brown: Thank you Mr. President. Our Delaware Governor and Delaware Attorney General began back in late January around some proposals around gun laws and this an addition to that that was introduced about two (2) weeks ago by Delaware Attorney General and Members of the General Assembly. There's four components and this has support up and down the State, Democrats and Republicans and these pieces are sponsored by representatives that have been in former law enforcement and corrections, so on and so forth.

President Gregory: Anybody else? Mr. Williams.

Mr. Williams: For the same reason that Councilwoman Walsh spoke of earlier in reference to us not really having any teeth just yet if this situation in Dover would to come our way. Actually Councilman Brown, you kind of beat me to the punch because this is something that I've been looking at seriously for last few months. I just wish that we can get that authority from Dover. I will be supporting this. I'd like to be a co-sponsor also.

Mrs. Seijo: So noted.

Mr. D. Brown: Mr. President. I just want for clarity. These are all Resolutions, these are not Ordinances and this Resolution is in the spirit of this body supporting the legislation that the Attorney General and Members of the General Assembly have proposed.

President Gregory: Anyone else? There's one line here that cause me some (inaudible) to pause and that's to impose the one (1) year mandatory sentence for those convicted of unlawful carrying a concealed weapon. Currently there's no minimum mandatory sentence for this crime and those innocent folk who - - rather (inaudible) folk who tend to do that and there was a famous case up on 4<sup>th</sup> Street where a very responsible person was - - they would be exposed to one (1) year mandatory sentence and the trend in Superior Court is not to engage in individualized sentencing and it's very robot. They're very robot like in administering justice. They don't look at the individual. I'm just not a big proponent of mandatory sentences. I'm really not. It should be individualized. Years ago mandatory sentences came along because it was actually started off to make sure you didn't have disparate sentencing. So just say if you get caught, everybody get the same thing but people don't realize that discretion starts on the street through the Police Department and through the judges and there are all kinds of exceptions. People can go in and come back out different kinds of ways. I mean while I do believe we have a handgun problem in the City of Wilmington, I just have philosophical views with respect to mandatory sentencing. It just doesn't ring well with because in particular we talk about concealed deadly weapons. I a lot of folk who are just real good folk could be in a position where they are currently conceal a deadly weapon and not having gotten a registration. So, I'm not going to vote favorable on this. Anybody else? Councilwoman Walsh.

Ms. Walsh: I do understand and perhaps some of the problems with these Resolutions does stem from it being more exact about being in support of legislation that's already down there - being in (inaudible) in the General Assembly. In this case, you know, you want a gun, you better know what the ground rules are and if the ground rules are - - you can walk around with that gun on your hip all you want because that's not a conceal weapon. But if you want to put it in your pocket and you want to put in your glove compartment, you want to put it underneath your shirt and you don't get a license too bad and that's how I feel and that's me personally that I think we make excuses all the time. I'm sure I have family members that have guns that don't have

permits for it. If they get arrested, don't call me for bail because I'm not coming to get you.

President Gregory: I could live with that analysis and you can make it a crime but my problem is mandatory sentencing because discretion starts from the police officer through court system and who's going to make those decisions on who's going to be exposed to one (1) year and who's not. So, it's philosophical on that regard. I agree you can be penalized for not having done it the right way. There should be penalty, it should be a crime but the crime does not (inaudible) a one (1) year minimum mandatory sentence exposure for law abiding citizens. Mr. Williams. I'm sorry, go ahead.

Ms. Walsh: You work in the business.

President Gregory: Yeah.

Ms. Walsh: So, you know how many plea bargains there are.

President Gregory: I know the discretion begins....

Ms. Walsh: So, the real innocent person who really is innocent that gets caught up in something like this, there's a 99% chance they will be plea bargain.

President Gregory: And so.

Ms. Shabazz: Mr. President. Can you not see me I have my hand up?

President Gregory: I'm sorry. Hold on. Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. Councilman Brown are you stating that everything in the bold starting from impose a one (1) year mandatory is what's already in the law and you're just regurgitating what the General Assembly – what the law is already in proposed? Or is this an addition that you've added into the language?

Mr. D. Brown: No. These are the proposals. This is what is proposed. It is not existing law. It is proposed.

Ms. Shabazz: I know. What's proposed from the State?

Mr. D. Brown: Yes.

President Gregory: I can live with everything below but that one (1) year mandatory causes me to pause.

Ms. Shabazz: Yeah, I agree.

President Gregory: You could have retired again police officers who haven't gone through the process - - they getting ready to go to through the process - - (inaudible) something happens - - and then there's discretion and I'm telling you discretion begins on the street. It begins on the street. Councilman Williams.

Mr. Williams: Sir, thank you very much. Just to go off of that also, discretion does start on the street and then you have an intake process. So, once you apply that felony, it's either whether the AG's Office wants to pursue it or not. So, their discretion kicks in also but it's a three (3) tier process before you finally get the final ruling from that judge.

President Gregory: And that's a whole lot of discretion.

Mr. Williams: Correct.

Mr. D. Brown: That's the law.

President Gregory: Yeah, that's the process but I've been there and done that.

Mr. D. Brown: Roll call Mr. President.

President Gregory: No. You don't call for a roll. Anybody else has anything?

Ms. Walsh: Ah, he can call the motion.

President Gregory: Did you have something?

Ms. Walsh: Point of order.

President Gregory: Mr. Wright.

Mr. Wright: Yes. Everybody has an opportunity to speak though before the sponsor gets the last word.

President Gregory: Thanks. Excuse me.

Mr. Wright: I'm sorry Mr. President. Alright, but my question is simply. So, in essence say if I took a relative's car and there was a gun in there and I was pulled over, then I will be responsible...

President Gregory: You got it.

Mr. Wright: ...for the minimum mandatory the one (1) year?

President Gregory: You got it.

Mr. Wright: Possibility?

President Gregory: Yeah (inaudible) incidental situation where one can be exposed to that one (1) year. I'm not - - I'm not going to do that. Yes.

Ms. Dorsey Walker: I just have a quick question. How does it work if say for instance you're license but your spouse isn't?

President Gregory: It's a good point.

Ms. Dorsey Walker: Right but it's in, you know.

President Gregory: Your spouse isn't license, you can't have the gun. He or she is carrying a concealed deadly weapon. But discretion is discretion and you ask for human beings to exercise good discretion. They can exercise that discretion in the contexts of individualized sentencing before the judge. I just don't want the discretion to be on the street and take in the AG's Office. I don't want that. I want the discretion to be before a judge in the contexts of individualized sentencing. No problem with the one (1) year sentence. I have no problem for two (2) years sentence. I have no problem for three (3) years sentence but it should be individualized and based on the person's background, history and who they are and where they're going and where they came from. That's just the way I've felt. I do not like mandatory sentencing because when we're moving to individualized sentencing more and more because of the prisons are overcrowded, should we have done that, the crisis (inaudible), do we put people in jail for the wrong reasons. I guess this is my little liberalism. I guess kind of coming out and you know being a defense attorney all those years, there is discretion in this room, in my opinion. Yes Mr. Brown. No we're not calling for a vote. Mr. Williams.

Mr. Williams: Just a final comment. It's the cavalier attitude towards firearms. It really needs to have some regulations to it. As a firearm owner, I don't think I would leave it in the glove compartment for my wife. I don't think because I'm a responsible owners and that firearm stays with me. So, the cavalier attitude needs to be tighten up and we need this educational process that there is a possibility of one (1) year sentence, if you are cavalier about this.

President Gregory: Individualized sentencing, not mandatory. That's all I'm suggesting.

Mr. Williams: Thank you.

President Gregory: And again, they will process it a context of individualized sentencing as to you and your wife.

Mr. Williams: Correct.

President Gregory: And what happened on the facts not the hammer of one (1) year because - - but who's going to decide on the street whether I (inaudible) that gun or not because you're who you are? Who's going to decide at intake how to process it? Who's going to decide at the AG's? Now, this may be a small issue but we're talking about people's liberty. But I believe you can increase the sentence to three (3) years, four (4) years in the contexts of individualized sentence.

Ms. Walsh: Mr. President. I want to ask you a question, please.

President Gregory: Absolutely.

Ms. Walsh: So, I can't find my driver license so I can just borrow my husband's and that should take care of me if I get stop for speeding?

President Gregory: What you say?

Ms. Walsh: I can't find my driver license.

President Gregory: Bad analogy.

Ms. Walsh: I don't think so. I think it is a bad analogy because one can take someone's life away.

President Gregory: Bad analogy.

Ms. Walsh: But I think you're getting what I mean.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the above aforementioned Resolution was received, **DEFEATED** as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members D. Brown, Prado, Williams, and Walsh. Total, four. Nays, Council Members Chukwuocha, Congo, Shabazz, Dorsey Walker, M. Brown, Cabrera, Wright, and Council President Gregory. Total, eight. Absent, Council Member Freel. Total, one.

President Gregory: Declare it defeated. Mr. D. Brown. Anything else?  
Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 13-030 as follows:

**WHEREAS**, Wilm. C. § 2-10 requires City Council approval for any agreement entered into between the City and other governmental or quasi-governmental agencies for support, aid or mutual cooperation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby approves that certain Delaware Mutual Aid and Assistance Agreement for Intrastate Water/Wastewater Agency Response Network, a copy of which, in substantial form, is attached hereto and made a part hereof as Exhibit "A".

**FURTHER RESOLVED** that the Commissioner of the Department of Public Works is hereby authorized and directed to execute as many copies of said Agreement as may be necessary.

Ms. Shabazz: Mr. President. This Resolution authorizes the Department of Public Works for the City of Wilmington to enter into a Delaware Mutual Aid and Assistance Agreement for Intrastate Water/Wastewater Agency Response Network also known as WARN. What this does is save - - we kind of really acted under a gentlemen hand shake type of an agreement with our intrastate cities in case of emergencies that we would support each other by providing resources if there was a major emergency. This puts it in writing. This is stipulations and standards to it and we're one of the last states in the United States to have something in writing and it did come out of Council, I mean committee with a vote to come to the floor.

President Gregory: 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: Chukwuocha, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, eleven. Nays, none. Absent, Council Members Congo and Freel. Total, two.

President Gregory: Declare it adopted.

Ms. Shabazz: That's all for tonight Mr. President. Thank you.

President Gregory: Mr. Prado.

Mr. Prado: No legislation Mr. President. Thank you.

President Gregory: Ms. Dorsey Walker.

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

Ms. Dorsey Walker presented Resolution No. 13-031 as follows:

**WHEREAS**, the "DE Repeal Project" is a coalition of organizations from the Delaware community working to abolish the death penalty; and

**WHEREAS**, per capita, the State of Delaware ranks third in the nation for executions, and currently has 17 men on death row; and

**WHEREAS**, since 1992 Delaware has conducted 16 executions, compared to California having executed only 13 men despite having the largest death row in the country; and

**WHEREAS**, the death penalty is often not imposed in the worst murder cases, and a person is more likely to receive a death sentence based on their race, location, or economic standing rather than on the severity of their crime; and

**WHEREAS**, more than a dozen states have researched the cost of the death penalty, and it has been concluded that the death penalty is more expensive than life in prison without parole; and

**WHEREAS**, the high cost of the death penalty diverts valuable resources from the Attorney General's Office and other law enforcement organizations, preventing the prosecution of other cases; and

**WHEREAS**, Senate Bill No. 19, the Death Penalty Repeal, was recently passed by an 11-10 vote by the Delaware Senate, and shall now move into the Delaware House of Representatives for a vote.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council fully supports Senate Bill No. 19, the Death Penalty Repeal, and further encourages the members of the House of Representatives to vote to approve the legislation.

Ms. Dorsey Walker: Mr. President, first and foremost, I'd like to have - - the co-sponsors were supposed to be added, Councilwoman Cabrera, Councilwoman Shabazz and Councilwoman Walsh.

President Gregory: So noted.

Mrs. Seijo: Cabrera, Shabazz, and Walsh?

Ms. Dorsey Walker: Yes ma'am. Thank you.

Mrs. Seijo: So noted.

Ms. Dorsey Walker: As it was just read, the whole purpose for Delaware Repeal is to abolish the death penalty in the State of Delaware. It passed the Senate, Delaware Senate with 11-10 vote and as it was read. It kind of speaks for itself, the death penalty has been imposed improperly in this State and it cost the State an astronomical amount of money to keep people on death row. Next week we're going to hear from Police and Fire and Public Safety and that money can be going into their departments versus going into the prison system.

President Gregory: Mr. Prado.

Mr. Prado: I saw when New Jersey did this. The State of Maryland and I didn't think this was coming to Delaware. I always thought Delaware was little different from New Jersey but the more time passes it looks like we're going to become one union with that State. It just seems like we're heading down the same path and I just don't agree with this. I'm sorry but I think we have short memories in this State. There are people that I just - - that don't deserve to live, alright. And, you know, do people forget Brian Steckel? Does that name sound familiar? That was the monster that - - let's see - - he raped a woman with a screwdriver and then set her on fire and then sent letters to her mother talking about how fun it was to do that to. That's who gets executed in Delaware and I just can't see why we would give somebody like that a chance of life. I'll never accept argument that, "oh well life in prison is worse punishment". That's not true because they fight to the end to stop the death penalty, most of them. There was one guy a couple of years ago that say, go ahead and do it but that's the exception of the rule. I just - I don't believe Delaware abuse it. I don't believe that. I mean, I think Delaware has a reputation of you know, arbitrarily executing people. I understand you have Texas which, okay one could argue down there that you know - - you need some reforms for the way they do it. But I don't believe that Delaware has that reputation. I just do not want to see this option to deal with the worst of the worst to be taken away and that's what I think it should be - - the worst of the worst. You know, if it's a crime of passion, if there's certain things that there's mitigating factors that's different. But when these horrendous crimes that take place, this should still be an option in our State and I just hope the House does not pass this. That's my humble opinion.

President Gregory: Clerk, call the roll. I'm sorry.

Ms. Walsh: You called...

Ms. Cabrera: Yes, I would like to speak on this...

Ms. Walsh: ... you called the roll.

President Gregory: No.

Ms. Cabrera: ...because I had to do a lot of soul searching when the whole subject came up and I guess my feeling is this is that death is way too easy. Kill somebody that it, it's done is over. I recently was at an event with a I guess nationally where family members of victims gathered and after because I being very sensitive to the victims as well, I said I don't know where I would stand on this issue. So, I had to like I said soul searching, talked to people and after talking to families of victims and understanding that for them, seeing the person put to death didn't bring closure, it didn't bring any less grief or peace. They had to come to terms with that on their own to accept the death of their love one and that putting that person to death didn't make it any easier for them. So, after evaluating that I said this is the way to go because at the same time whether Delaware abuses this or not, the bottom line is that there is no 100% surety.

That we as human beings are the ones processing these cases and mistakes are made and although there is a lot of evidence, there also a lot of evidence showing how mistakes have been made. Maybe not in Delaware but in other places, and the cost because these people are going to fight it till the end, I just don't see - - I see where that one can be put to better use. So, the victims, maybe not all victims but after talking to that group of people, felt that this wasn't going to bring peace, personally I rather be somebody punished. I believe in torture versus death.

President Gregory: Councilman Brown.

Mr. D. Brown: Thank you Mr. President. I believe there is a roll in our criminal justice and correction system for the death penalty. Me outside of just personal feelings which I have heard expressed tonight, just understanding that there are lives that are being taken away and with lives being taken away, some sentencing are life, some sentencing should be the death penalty. I don't think it's a question of does that bring the love ones or those family members some type of service around that because they can never get that individual back in which they lost. Me personally, I lost a dear friend. A dear friend that many people in City of Wilmington, many members of Council remember who was killed nearly seven (7) years ago, that individual was put to death. His family still lives with that pain but that does not mean that individual should not have been put to death. The State even named a law after him, Cameron's law, and I believe that there is a place in our system for the death penalty.

President Gregory: Councilwoman Walsh.

Ms. Walsh: Mr. President, I've always been against the death penalty because the - - just the chance that a mistake is made is too - - almost as horrific as the crime to think about. But, you know, some of it has to do with how I was raised religiously. This past time down the Senate, was very proud of a friend of mine whose father was murdered and he was murdered doing a kind deed for somebody else too. He didn't have any hidden guns, he didn't have anything. He went out and you know, late night to help somebody that needed something and my friend testify down in Dover for the first time on the death penalty that's come up to rescind the death penalty. I was very, very proud of him because as Maria just said, that people could, you know, carry this anger around forever with them or decide that they don't want to be God and just allow the person - - if there is a next life - - for that person to be dealt with at that point.

President Gregory: Council Member Shabazz.

Ms. Shabazz: Thank you Mr. President. I too have had many families of love ones who have been murdered by someone else and the question is what is the - - what should be the fair action to that person. I guess my spirit tells me too that man does not give life, so man should not have the right to take it away. We don't know, sometimes you could give death penalty is getting somebody off the hook because they don't have to stand - - in living the agony of what they did in taking somebody's life.

So, sometimes having set here and set in the agony behind prisons knowing that they've taking someone's life and have to live with that is somewhat more of punishment. So, on that basis that's why I'm co-sponsoring this.

President Gregory: Mr. Williams.

Mr. Williams: I just want to tell Councilwoman Dorsey Walker what a brave individual you are bringing this to the floor tonight. My professional career tells me one thing. My personal life tells me another. I'll be voting present as I'm still torn between this. Thank you.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I'm not a big talker as most people here probably know but I am moved to speak because years ago my brother and I visited a prison up in Pennsylvania and it was a very moving experience. We got to interact with individuals who were on death row and it was touching to hear their stories and to hear and witness forgiveness in people's voices. One of the men till this day is still a friend. He still writes and once - - that summer we had the summer camp and he wrote letters to everyone, every child in our camp and I'll never forget one little girl, it was her birthday and he made her a card and I know that doesn't mean anything to what he did but I know for that little girl what it meant and you can't say anything but I felt it. I felt what was in his heart. What was then was then and what's now is now and as social worker you don't judge people by their past. You judge them by their present and I will be supporting this and I know. Again, to having a friend who's in that position, I know and I value it. Thank you Mr. President.

President Gregory: Mr. Brown.

Mr. M. Brown: Thank you. Mr. President, sitting here hearing everybody because of my religion I was tossing between this, I've been tossing between it, even when I was asked did I want to join in and I will support this tonight because it reminds me of one was on his left and one was on his right. One said if you're who you said you are, and then the other says, remember me and the one that said remember me said, you'll be with me in paradise. So, those words and others that I could quote but I won't, gives me the notion as Councilwoman Shabazz said, we don't have that right. But everybody has to make their own mark and be judged on that day and so for that, having said that, I will support this.

President Gregory: I had the opportunity to work in the Prosecutor's Office in Miami when I graduated from law school and one of the questions they asked me was could I - - my thinking on the death penalty. At that time I said that as a Prosecutor, I would do my job. If you have the death penalty, I would ask for the death penalty because I'm going to do my job. But I also said but I'll oppose it. I'm not in favor of the death penalty but if you give me the job, I'm going to do my job and they

appreciated that answer and I got the job but I just didn't take it. So, I just think that to some extent death is too easy. I mean you live in that little cell, you're in isolation, you come out 24 hours or 6 hours, who would want to live like that. And the other thing that was said is due process is not perfect. So we don't always expose the worst of the worst to the death penalty. What one would characterize as monstrous so to speak. It's just not perfect. Due process means we do the best we can to give you a fair trial. At the end of the day, man decides what to do in the contents of man's law but there's another law. Now when Ms. Dorsey Walker first kind of in a little casual conversation told me she was going to Dover on this, I said look, I got issues down here I got to deal with. I'm not a proponent or opponent. So, I wouldn't spend a lot of time on the issue but I offered my opinion. I think that death is final and we find that a lot of folks are convicted and wrongfully convicted years later and I would not want to be a person to put someone to death because - - I guess (inaudible) a higher level of convicting somebody it has to be, right now is proof beyond a reasonable doubt. Maybe it's got to be proof beyond a doubt and no one certain doubt and absolute and forever and I guess I could live with that a little bit in terms of due process. So, I'm going to support this because that's my opinion. That's the way I feel about it. We're going to go to Ms. Dorsey Walker and then we're going to call the roll.

Ms. Dorsey Walker: Thank you Mr. President. Just real quickly thank you Councilman Williams for your kind words but I wanted to share something with my colleagues. Originally I did support the death penalty. I had a love one that was killed and it must have happened when I was about eleven years old and I didn't think - - I was like if there was only way that this could be resolved is if the people who did this and I said people it was plural, that people who did this if they had to feel how we felt. And then I got to a place when I grew spiritually, I said that's not going to change anything. That's not going to bring my love one back. However, what can I do through this process so the Murder Victims Families for Reconciliation, it's only four (4) in the country, and they have one here in Delaware. And, I started to get involved with them - - I've been involved with Delaware's Appeal since its inception two (2) years. So, growing spiritually and then really taken in the word, Isaiah 59:15, the Lord looked and was displeased that there was no justice. That's how I turned myself around by the grace of God. I wanted share that with my colleagues.

President Gregory: Clerk, call the roll.

Upon a motion of Ms. Dorsey Walker, 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, Shabazz, Dorsey Walker, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, nine. Nays, Council Members D. Brown and Prado. Total, two. Present, Council Member Williams. Total, one. Absent, Council Member Freel. Total, one.

President Gregory: Declare it adopted.

Mr. Wright: Mr. President.

President Gregory: Mr. Wright needs to be excused. Mr. Williams.

Mr. Williams: No legislative business this evening Sir.

President Gregory: Mr. Freel had to leave. Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President, nothing tonight.

President Gregory: Ms. Cabrera.

Ms. Cabrera: No, none this evening.

President Gregory: Ms. Walsh.

Ms. Walsh: I have a Resolution Mr. President.

Ms. Walsh presented Resolution No. 13-032 as follows:

**WHEREAS**, the City of Wilmington (the "City") is prohibited by State law from governing certain matters within its boundaries such as the number and placement of non-profit group homes; and

**WHEREAS**, the majority of non-profit entities in the City are funded, licensed and regulated by the State of Delaware; and

**WHEREAS**, non-profit group homes are exempt from City of Wilmington property tax and therefore receive a variety of City services without annual contribution; and

**WHEREAS**, crime, vagrancy and neighborhood destabilization have become serious issues in the City due in part to the proliferation of non-profit group homes; and

**WHEREAS**, although many non-profit group homes are properly managed, other agencies are poorly managed and have placed an additional burden on City residents and City public safety and administrative services; and

**WHEREAS**, many recipients of services provided by non-profit group homes in the City are non-residents and have never before lived in the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this Council urges the Governor of the State of Delaware and the Secretary of Health and Social Services to issue a moratorium on funding any additional newly created non-profit group homes within the City of Wilmington, and further recommends that a more stringent review process be adopted for all existing group homes currently funded by the State of Delaware.

Ms. Walsh: Mr. President, I think you might remember as other Council members' might, that we had a hearing in this Chamber on non-profits about two in a half months ago now, which we're still gathering information on. In the meantime, we've actually started gathering information from all over the City and have been getting comments from people all over the City whether it be dealing with Section 8's, non-private businesses, that don't even appear to be a working business anymore, so those are issues that we're going to be appealing or going to be addressing when the committee is formed within hopefully the next two weeks. But the one thing that kept coming up in every single neighborhood was group homes. And, should the City of Wilmington become the grounds for the State to put every person in group homes. Should that not be shared by the County? Should that not be shared by other Counties in our State? Many of the homes that we have in our State right now, we have even out of state people that are in many of the group homes and that until the Secretary of Health and Social Services came to our meeting and we showed her the impact of social services in West Center City, she had no idea that that many organizations were actually housed and we didn't have even had the whole Council district there, just you know, a section of that Council district.

So, this is just humbly asking, we can't order them to, the Governor and the Secretary of Health and Social Services, not to provide any new group homes throughout the City of Wilmington, not just in one section, for a year moratorium on it so that we can gather even further information from every Council district as to the impact social services have had in everybody's neighborhood on this floor. What amaze me and I understand, when Resolutions like this come up it's like somebody is screaming the roof is falling, the roof is falling. I got phone calls all day long. I'm involved in a whole lot of non-profits and every one of them called me and it was fine. I answered every one of their questions. But I also got a whole lot of emails and phone calls in support of this Resolution but the woman who spoke this evening, she said, the disparate impact of what something like this could do to homeless is what she said - - what I want our non-profits to think about right now is the disparate impact that many of them are having in our City on the homeowners, on the people that pay the bills in order for their facilities to get police protection and fire protection, in many cases trash pickup and all the other things that come along with not being a tax organization and this is all we're trying to point out to the State.

Do we think we have an obligation to people with disabilities in our State? Absolutely, absolutely, every neighborhood does, every community does - every County does. In our case, it just seems to be on overdrive and that whenever there is something that could be a potential problem, if it's located in the City, than it's out of sight, out of mind. So, all we're asking for is time out. Everybody go to their corners for a year and it might not take a year. When the panel gets put together and recommendations come out, you know, it could be six months. But for right now asking the Governor and the Secretary for a year on time outs for funding group homes in the City of Wilmington -- new group homes, new ones.

President Gregory: Mr. Prado.

Mr. Prado: Thank you Mr. President. I just want to second everything that Councilwoman Walsh said so eloquently. This is - - she pretty much summed up how I feel and the part that I find frustrating is that if I own a home or you own a home, anybody and you sell it to one of these groups, if they want to make a group home, it becomes a group home just because they say so. There's no fighting it because if you fight it, you're discriminating against them. That's the way the rule is, which I find unfair because once that home, which was once a private property, now becomes a group home, we lose the tax base and the folks that are paying the taxes, which is in essence paying the bills for the City, are stuck most likely higher taxes and having to deal with the fallout from some of these group homes. Not all of them because I will tell you that there are organizations that are fantastic like the Catholic Charities the way they run things is - - I have no issue with that. If I ever call them if there's a problem at one of their houses, they take care of it. There's no questioning my motives why I called but you call some of these other organizations, they turn it around on you and they say, well, what do you mean, why are you calling us, what you don't like these people? You have a problem with them? It's really frustrating dealing with them because they want to automatically turn it around on you and make it sound like you just have an issue with this home because it's a group home or it's serving certain population and that's not the case. But, first off, I would like to be a co-sponsor to this.

Mrs. Seijo: So noted.

Mr. Prado: But, as the Resolution stated, you know, the City of Wilmington is getting all these homes are being put in the City and all we're saying is there should be a little bit more - geographically they should be a little bit more equitable in the way these are being funding and disbursed throughout our State. But it's always the City particularly over where I am too in West Center City, Hilltop and Cool Springs. It just seems like we're always getting these homes and it should just be in Claymont, New Castle, Newark, Middletown, these are all areas where you can get services and you get be on bus lines. It shouldn't just only be the City of Wilmington.

President Gregory: Mr. Congo.

Mr. Congo: Yes Mr. President, thank you. This is a really good piece and I do plan on supporting it but I guess I want to just put out a general question out there to my colleagues. What can we do - - is there anything that we can do now about the frustration that a lot of these homes are causing?

President Gregory: Well you cannot zone homes and housing for the needy out your neighborhood and that's not what we're talking about doing. The issue here is the income or the funding stream to some of these group homes and I guess the answer to your question is you have nuisance laws and there are cause under the nuisance law etc that could be an issue but as long it's not based on some discriminatory reason. So, there are things that you can do under the nuisance laws.

Mr. Congo: Okay, yeah. That was my next question. They're not exempt from the nuisance laws, right?

President Gregory: No. No, neighbors have a responsibility in (inaudible) duty of the neighbors. In other words, they're not exempt no more that you can discriminate against them.

Mr. Congo: Okay, thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yeah, I had a couple of questions. Are there any new group homes applications or anyone in process that are in the system now that are applying that we know of?

Ms. Walsh: I don't know. No, I don't.

Ms. Cabrera: Okay. Now, this would not exclude if someone came in and started to do a for-profit group home, if it was for-profit versus a non-profit?

Ms. Walsh: If a for-profit group home actually becomes part of zoning problem because yes that question was brought up to me today. That what we need to do with the Committee that is being formed is to look at those for-profit organizations too just not the non-profit organizations.

Ms. Cabrera: Thank you.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I had that same question about just (inaudible) if there was any group home that were currently proposed. But, then as a life-long person who's worked in the non-profit I feel I guess torn in a way, I understand the issues that are being discussed and the problems that some non-profits group homes are causing but having labored again in non-profits and worked in the group home, very prominent group home, who does good work in Delaware and Wilmington at the Bayard House, and I hear, I read this and I say, so if the Bayard House received a grant and they were able to expand and we have so many homes that we could, you know, love to have them move into a facility or building to extend, then how can we block that?

President Gregory: You can never stop them from coming or expanding. The object here is to put a mechanism in place to evaluate where we are and that the State have a dialogue with us to ensure that we are involved in the process of ensuring that they are funding responsible homes. So, the Bayard House is a responsible home. This would not impact long term at Bayard House.

Mr. Chukwuocha: I understand their funding is separate through the Diocese but other group homes as well who are non-profit funding through the State are running good businesses and that are in agreement with the community. They're working in harmony. I understand that in some of our communities are saturated with non-profits and some of them aren't performing in good standing with the community. So, I understand that issue. So, I just think that one challenge is trying to, just to me, paints a broad stroke across that and I think that's an issue for me.

President Gregory: I think ninety percent of what you said, I agree with in trying to explain the question that you asked.

Mr. Chukwuocha: Yes Sir.

Ms. Walsh: Mr. President. The question is on funding any additional newly created non-profit group homes. Newly created, Bayard House is in existence. You know, I have group homes around the corner from me. Nobody even knows they're group homes. They are wonderful folks that live there. They have great caretakers who are responsible and make the people living in the homes responsible for - - that is their home. That is their house. Whether they have a room in it or they have the entire facility. Each person should be proud of where they live and we have many group homes throughout this City that do take the responsibility for their clients, for their residents, for everything - - the condition of their property but we also have some that don't and all we're asking is a timeout with the State. That's it. I'm not saying we're banning them, we're doing this. We're doing that. We're asking for a timeout.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have some questions around the Resolution. There's some things that have been a part of the dialogue but aren't a part of the actual Resolution. One being, the one year time frame isn't within this Resolution. The conversation around a Committee isn't a part of this Resolution. I don't know if that's a community based committee, a committee of Council members, what looks like but it hasn't been communicated through the Resolution. There's no language around outcomes. What are we looking for? What's the objective of having this moratorium? What is the objective of the Committee that's not a part of the language? In addition to that, for us to look at - - because most of this has come from a particular area in the City of Wilmington, the question of there actually being group homes in that area, the State and Federal Government define a group home a certain way. And, I believe the facilities that are ran there are not group homes. So, the actual Resolution language doesn't represent what we're trying to do. In addition to that, there has been a previous case and I say that because by us identifying non-profit group homes we've have segmented out for-profit group homes. This is not just mean large organizations or entities; there are individuals that operate group homes. There's a large national and state push to provide housing for returning veterans, which in many cases could fall under this broad definition of a group home.

Also, with us looking at this moratorium for these group homes, it comes to the question, will we be violating federal law. Will we actually be violating The Fair Housing Act in supporting this type of moratorium? The Fair Housing Act speaks to how we have to provide housing for individuals at certain levels. Recently, there was a case in Sussex County where an entity applied to Sussex County for low-income housing, which would fall under The Fair Housing Act as presented here and the County did not award them or support them in providing that housing and in doing so, the County was then sued by that entity. With us supporting this even though it is a Resolution, because of us supporting that language, what Sussex County also found was that they were in violation in many federal and state laws around housing because of what they did by not awarding that entity. So, I do understand the spirit of it and I support the spirit of it but I think there's a lot of things that have been a part of the dialogue that aren't including in it and I think those things should be including in it for us to really grasp what we want to do around the issue because it is something that we need to address and also possibly holding this and let it be vetted through Housing.

President Gregory: That may be a suggestion but let me say this. If we were to pass this Resolution tonight and someone walked in tomorrow and put an application in to start of the process for a group home, they would be permitted to do so. If the State - - you can't put a moratorium on group homes, technically but we are telling the State evaluate what you're doing and assessing what you're doing over the next year with respect to group homes being responsible or not. That's perfectly legal in my opinion. But if doing between now and the State doing their process any and all applications are going to be heard but most money unless it's Catholic Charities or some other non-profit corporation or foundation is going to fund them, most, a lot of them are funded by the State and I guess the other (inaudible) will hear that. One could say that's (inaudible) discrimination in some kind of way. But, you're only talking about a year. When Councilwoman Walsh proposed this I suggested a moratorium, I said, six month, she said, a year. So, we have a year but - - one of things that she said that was very compelling and that is that our neighborhoods are being discriminating against. Our neighborhoods are being impacting in a disparate way in terms of how this is being done and I guess neighborhoods have rights too.

I'm want to make clear that in my neighborhood where I live I don't mind sharing my neighborhood with anyone that has less than me, absolutely. There's an Oxford House in my neighborhood, one block from me on the parallel street, exact same address. There was a house down across from Hanover Church, I was - - in my neighborhood. Some folks wanted to oppose, I was a proponent for it because I saw it coming in. It's very reasonable. The person that runs that Oxford House, they do a very good job, I have no problem with that. So, I'm one that shares. I'm not a not in my backyard kind of guy. But what I heard in that testimony in this room, there's a problem and even though those who are in favor of sharing their neighborhoods said, we have a problem, we need to get our arms around this problem. And, it's just not in that neighborhood, it's citywide. So, its moratorium, we're not trying to zone anybody out. We're not saying they can't apply tomorrow or the next day or the next day, they can.

We're just asking the State to be judicious and Catholic Charities I guess to be judicious and every corporation that hears shout of our voices to be judicious in providing that support to them as a non-profit for the next year until we can get our arms around this.  
Councilwoman Shabazz.

Ms. Shabazz: Thank you Mr. President. I understand the spirit of this Resolution. I really do and I do know in various pockets of our City group homes are causing a lot of heartache for residents who work hard and do the right thing. I'm hoping that also the spirit of this Resolution is telling the State that the City of Wilmington has a homeless problem. Whether they're shipped or where they are, a lot of are - - we have a major homeless problem with young teenagers. I just met with some of the Eastside residents and we're looking at trying to come up with a resident for - - we know we have a growing population of young adults, single fathers with children that are in need of housing of some sort. So, because of the volume and the lack of their lack of economic availability, a group home typesetting will give them the support that they will need. So, if we're asking the State to look at not just any applications, I hope that we're asking also in the spirit of this Resolution, that we're asking to look at the whole issue of homelessness and the issues that we're facing in our neighborhoods. So, it doesn't just come back that you're talking about the agencies that currently trying to resolve the overwhelming growing impact of homelessness and mental illness and drug addiction that our communities face. I mean the demand is pushing the fact - - if we have so many in one area or even throughout our neighborhoods is because we have overwhelming problem with these particular social ills. So, with all this, I hope this is also not saying just to stop because we're sick and tired of those who are less fortunate than us but through saying that we want them to look at this and that when they go to fund - - take any individuals who want to take on social service of serving those who are less fortunate that protected class of individuals, that they do it - - that they realize it because it's such a major problem in our City. Thank you.

President Gregory: Anyone else? Ms. Walker, Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. In listening to the spirit of conversation, I'm wondering if we can offer a friendly amendment because I read this four times and I don't see where it says that we only want to do this for one (1) year. So, is it possible to amend it and put in here that this is for one (1) year?

Ms. Walsh: Mr. President. I apologize for that. In the original one - - I read it too quickly tonight - - I had a year in it the whole time. Somebody took the year out. So, I don't even care at this point if we reduced it to six (6) months.

President Gregory: I say six (6) months. Mr. Brown. Six (6) months. That's an amendment, a friendly amendment, motion, second.

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

President Gregory: Those in favor so note by saying Aye, Oppose. Aye's have it.

Ms. Walsh: Do you want to say where the amendment goes or we're just going like put a six (6) month stamp on it?

Mrs. Seijo: Where do you want it?

President Gregory: He's going to figure that out.

Ms. Shabazz: Issue a six (6) month moratorium.

President Gregory: Carney is going to figure that out. It's the last line. Just put last line, this shall be a six (6) month moratorium.

Mr. Tom Carney: She needs to read the language.

President Gregory: I just told you the language, "there shall be a six (6) month moratorium.

Ms. Dorsey Walker: No though, he's saying she needs to read it though Mr. President.

President Gregory: Who?

Mr. M. Brown: Where it would go in the Resolution.

Mr. D. Brown: She needs to read it in the record.

Mrs. Seijo: Not me.

President Gregory: Councilwoman Walsh, did you read it?

Ms. Walsh: Read the Resolution?

President Gregory: No, no. The amendment that you want, there shall be a six (6) month Resolution, moratorium.

Ms. Walsh: No, you've been kind of doing that all night long, jumping five (5) feet ahead of where your brain is...

President Gregory: Go ahead - - go ahead - - make your motion.

Ms. Walsh: ...where your mouth is rather.

President Gregory: Make your motion.

Ms. Walsh: Okay. I do make a motion and where am I'm doing this for?

President Gregory: It shall be six (6) month....

Ms. Dorsey Walker: Six (6) month moratorium.

President Gregory: Make it the very last line, the very last line. This shall be a six (6) month moratorium.

Ms. Walsh: After State of Delaware just put for six months. That's my amendment.

President Gregory: Okay.

Ms. Walsh: Is there a second on the amendment?

Mr. Williams/Ms. Dorsey Walker: Second.

President Gregory: It's been properly moved and seconded, all those in favor so note by saying Aye, Oppose, Abstentions. Ayes have it. Okay. If a group home wanted to open up next to me, I would not oppose it but I'd go and tell them I'ma tell you what you aint going to and what you're going to do and if they didn't do what I told them but you aint going to do and what you're going to do, then I'll be at war with them. But I wouldn't oppose it because they're simply a group home and that's what we in essence are talking about here is management and trying to get our arm around the history around this. Now if a second one wanted to open up across the street from them, wait, wait, we have got to hold some conversation here. Not only am I going to tell you what you aint going to do and what you are going to do, I'm going to fight you and keep you out of here. Then that's me as individual and I can do that as a private citizen. So, we're like helping private citizens. Thinking of it that way, we're helping private citizens giving them a tool to deal with this problem. That's all we're doing. But, one comes, no problem, next to me or goes up on the other corner, you can come. But now wait a minute, three? I have some tools as a private citizen that I'm going to use to say, no. Enough is enough and that's my prerogative as a private citizen. No state action, no government action, none whatsoever. So, we're providing a tool for them. That's government and that's what we do for our constituents. Clerk, call the roll.

Mr. M. Brown: I had my hand up Mr. President.

President Gregory: Mr. Brown.

Mr. M. Brown: Thank you. I just want to comment very briefly on this. Councilman Darius Brown brought up a good point and I understand the Resolution, I understand the reading, I understand the language and to some degree it could send the wrong message down in Dover that we - - you know, do you want to help? Do you want to be a part of it or you don't want to be a part of it? And again, it comes with that analogy you just gave right in my backyard to some folks and all that, but Councilman Darius Brown mentioned and this is probably where it got me at where I know for sure that there is a residential - forthcoming, a residential for veterans coming up on the Westside on Washington Street. While you're right, this is not going to affect it, they're still going to do it but for someone who was doing it to get the funding, they may look at, someone may look at and say well you know, we want to give you some funding but we're getting some pressure from over this side of the - - or north up in Wilmington and we may want to just want to hold back on giving you funding to help you get this much needed residential group home for veterans in place. I personally am - - I'm going to vote present on it but I just wanted to put that out there that while I agree you know, it's still going to happen, while I also want to put it out there that may be a mark there to hesitate - - for people to get funding towards it. I'm a veteran. I want to see it happen. And, last but not least, when I was hungry you fed me. When I was thirsty, you gave me water. When I was homeless, you sheltered me. These that do the least of me to my children, so I just want to leave that open.

Ms. Walsh: Mr. President, it's my Resolution so I'd like to have the last word.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. I appreciate the additions in the language but also I want Council to understand because of the precedent that I cited tonight in Sussex County that this would also put not only potential future funding but also existing funding around HUD funding that the City receives.

President Gregory: That's your opinion.

Mr. D. Brown: No, that is a precedent opinion - well not an opinion...

President Gregory: Well, you realize Sussex took some action. They took what we call state action. We're just expressing our opinion. It's really....

Mr. D. Brown: No Sir. The entity sues us.

President Gregory: I know but Sussex what did Sussex do affirmatively?

Mr. D. Brown: They denied...

President Gregory: They can deny anybody. Somebody walks in tomorrow and want to start a group home, they can do it.

Mr. D. Brown: If the veteran's home on Washington Street, we passed this, HUD can determine we're not going to have a veterans' home in Wilmington because of this moratorium.

Ms. Walsh: No.

Mr. D. Brown: Yes they can.

President Gregory: I'm not going to agree with you. You can put that out there but I'm not going to agree with you on that.

Mr. Congo: Mr. President.

President Gregory: Ms. Walsh.

Mr. Congo: One comment please.

President Gregory: Mr. Congo.

Mr. Congo: Thank you. I think that the Resolution does mean very well. I think everybody in this room knows what the intent is. It seems like we're going around - - we're beating around the bush. If the problem is a certain business here in the City, I think we need to direct all of our energy towards correcting that problem with its Connections. Let's go after Connection and make them be more responsible instead of beating around the bush and trying do things in a way that may not be as direct as we need to be. You know, the neighborhoods are suffering from Connections lack of responsibility. So, if that's the issue, let's - - what can we do to make Connections to be a more responsible business in the City?

President Gregory: That's a good point but is Connections listening to us? How do we get their attention? Mr. Chukwuocha, Mr. Brown, Ms. Walsh and then we're going to end.

Mr. Chukwuocha: Thank you Mr. President. I just had a question about an existing non-profit group home in - let's say this existing, they're not newly but they're existing and they apply for a new funding source or a new grant, and that's my view of what's happening currently in one of our communities where they are applying for so many different grants from the State and they're receiving, how is this, I guess stopping that is my question? How will this address that? Because they're not newly, I mean the corporation itself, non-profit, the history is existing and they're saying, they are applying for a new a program but it's not a new group home. So, I'm wondering how will this impact that funding or how will it change the situation because they're going after a new pot of money?

President Gregory: The moratorium is for six (6) months. You requested moratorium, it's for six (6) months but it impacted because of the message we're sending possibly. I think that's more accurate than saying there's some legal ramification to what we're doing. I don't think we're going to negatively impact anyone over the next six (6) months. Sussex took affirmative action to deny. We're not - - legal - - within their rules. We're not taking any affirmative action. We're sending a message saying, State please evaluate how you do this and make sure the folks that you give group homes to are responsible. Yes Loretta.

Ms. Loretta: First of all, the Governor...

President Gregory: Mr. Brown and then we'll come to you.

Ms. Walsh: I'm sorry?

President Gregory: We're going to do Mr. Brown first and then we're come to you.

Ms. Walsh: Okay, go ahead.

Mr. D. Brown: Thank you Mr. President. My final comment on this issue is that I appreciate the community interest and how we can improve our communities and I just hope the same effort around this issue will be an effort that we take around education with public schools and charter schools, around liquor stores, around any other things that may be nuisances to our communities.

President Gregory: It's interesting. I did the school thing and I did the liquor store thing. Ms. Shabazz.

Ms. Shabazz: Mr. President, the conversation was going directly and focused on the language of the Resolution and then it got back to the injustice, the underline spirit of the Resolution. If we're to - - you know, some of the things that have been said are just not fair and the whole spirit of it that's why I stated the way I said it, the spirited, I know the intended spirit of it if that's what the intended spirit of it is but when we're start throwing particular organizations names out and not giving them their just due process and allow them to speak on their behalf and it's been done several times on this floor and several times through various processes and I think that's an injustice to the organization and with full disclosure, I am an employee of that organization and I try to keep my Councilwoman's hat on and the whole thinking of the whole idea, which is why I made the comments the way I did. But again, I just really don't appreciate at this floor, the disrespect and the unfairness of not allowing the justice this organization - - this institution is suppose to allow about law - - making laws and not giving that organization the due process. Because it wasn't about one particular organization - - threw their name out and even though we kind of know that's the under spirit of it because we've used this institution before to go after that institution and I think if we're going to do justice that

we are suppose to uphold that we should really give them an opportunity to defend themselves and I just wanted to make that statement and full disclosure.

Ms. Walsh: Thank you Ms. Shabazz. Number one, that organization might have started the whole discussion. This Resolution didn't come from that organization. This actually Mr. Congo came from a group of people in your area who had been working on the Comprehensive Plan who asked to meet with me because of the hearing in March because they were very concern about neighborhoods over there and, hat concern has been ongoing for a couple of - - for a while. Especially when one of our non-profits in the City who already has a successful program in West Center City but wanted to move because of all the other problems over there to your Council district and were willing to spend a million dollars on a house and people started to get upset from that moment on that a group home environment would be willing to be able to spend that much on a real estate property when they themselves who live in the neighborhood couldn't afford to do that and it was a single family house before that and you know, the question was, how could a non-profit even do this when that million dollars can do so much more towards helping that non-profit? So, that's how all this came about, this particular Resolution. It's not aimed at one agency. If the Governor gets this Monday, he can throw it in the trash can and say, call Loretta Walsh up and tell her to go to hell, I'm going to do what I want and so is my Secretary. So, it isn't aimed at one organization. It is asking the State to please come and sit at the table with us. Please look at the harm you are doing to our City and that's all this does.

President Gregory: Clerk, call the roll.

Upon a motion of Ms. Walsh, seconded by Ms. Shabazz, the above aforementioned Resolution As Amended, 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, Prado, Dorsey Walker, Williams, Cabrera, Walsh, and Council President Gregory. Total, eight. Nays, Council Members D. Brown and Shabazz. Total, two. Present, Council Member M. Brown. Total, one. Absent, Council Members Freel and Wright. Total, two.

President Gregory: Declare it adopted.

Ms. Walsh: That's all I have this evening. Thank you Mr. President.

President Gregory: It's about twenty minutes to nine. Can I get consensus on whether we're going to do petitions and communications tonight?

Upon a motion of Mr. M. Brown, seconded by Mr. Prado, Council suspended petitions and communications tonight with one Nay (Ms. Cabrera). Motion prevailed.

**PETITIONS AND COMMUNICATIONS**

No petitions and communications this evening.

**ADJOURNMENT**

Upon a motion of Mr. M. Brown, seconded by Ms. Cabrera, Council adjourned at 8:41 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
May 9, 2013*

***“Youth In City Government Day”***

Council met in regular session on the above date at 6:30 p.m., President Theopalis K. Gregory, Sr. presiding along with Abby Leach (Youth President).

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 April 18, 2013, upon a motion of William Santacecilia (At Large A, Youth), seconded by Veronica Dougherty (8<sup>th</sup> District Youth), it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

No committee reports presented this evening.

**TREASURER’S REPORT**

The following Treasurer’s Report dated May 9, 2013 was read into the record by Edna Hughes (City Clerk Youth), and upon a motion of William Santacecilia (At Large A, Youth), seconded by several “youths”, the Report was received, recorded and filed. Motion prevailed.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON May 9, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 4,961.25
106	Fire Pension Account	M & T Bank	\$ 4,683.09
107	Evidence/Found Currency Account	M & T Bank	\$ 215,222.83
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 382,481.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 81,382.15
117	Cement Workers	Wilmington Savings Fund	\$ 33,339.63
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,286.52
130	Payroll	M & T Bank	\$ 222,909.12
131	Pension Payroll Account	M & T Bank	\$ 27,281.57
139	Pension Healthcare Account	M & T Bank	\$ <u>16,411.54</u>
	Total Cash on Hand		\$ <b>1,010,465.69</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	05/09/13	0.25%	\$ 62.32	\$ 9,097,597.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	05/24/13	0.25%	\$ 81.58	\$ 425,345.22
124	Non-Uniform 1990	WSFS	CD	05/29/13	0.30%	\$ 1,216.85	\$ 4,935,000.00
106	Fire Pension	WSFS	CD	05/29/13	0.30%	\$ 776.71	\$ 3,150,000.00
116	General	WSFS	CD	05/31/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 3,863.01	\$ 10,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 986.30	\$ 2,000,000.00
116	General	WSFS	CD	06/10/13	0.30%	\$ 1,084.93	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	06/14/13	0.25%	\$ 5,580.07	\$ 14,292,802.00
116	General	WSFS	CD	06/14/13	0.30%	\$ 920.54	\$ 2,000,000.00
116	General	WSFS	CD	06/28/13	0.30%	\$ 1,035.61	\$ 2,000,000.00
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
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,008,168.00
104	Escrow Pension	Vanguard					\$ 18,340,100.00
104	Escrow Pension	Black Rock					\$ 52,504,966.00
104	Escrow Pension	Edgar Lomax					\$ 26,942,130.00
104	Escrow Pension	Wilmington Trust					\$ 31,026,119.00
104	Escrow Pension	Manning & Napier					\$ 23,930,712.00
104	Escrow Pension	Earnest Partners					\$ 12,006,904.00
104	Escrow Pension	GMO					\$ 10,708,350.00
139	Medical Escrow	Merrill Lynch					\$ 9,848,519.00
116	The Hartford	Deferred Comp.					\$ 33,588,371.00
	Total Investments						\$ 309,746,981.26
	Total Cash on Hand						\$ 1,010,465.69
	Grand Total						\$ 310,757,446.95

<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 William Santacecilia (At-Large A, Youth), seconded by a youth, the following non-legislative resolutions were accepted into the record:

All Council	Welcome Sister City Kalmar, Sweden Mayor and Delegation
All Council	Recognize Youth In City Government
All Council	Wilmington Parks & Recreation's Tennis In The Streets
D. Brown	Congratulate Jean Richardson Court #1 and Omega Lodge of Perfection #1, A.A. S. R. F.
Cabrera	Recognize Former Wilmington Police Department Inspector Sean Finerty
Cabrera	Sympathy Luz Divina Diaz
Chukwuocha/Cabrera	Recognize Our Time organization and founder Lorraine Thomas
Congo	Commend Joseph Schorah
Gregory/M. Brown	Sympathy Jerome "Romie" Waters
Shabazz	Rev. Dr. Vincent P. Oliver 27 <sup>th</sup> Pastoral Anniversary
Shabazz	Sympathy Brandon Smith
Williams	Commend Charter School of Wilmington Girls Swimming Team

**The following students participated in the City Council meeting as part of "Youth in City Government Day 2013":**

- Abby Leach, **President** of City Council
- Dymone Kelly, **1<sup>st</sup> District**
- Dyon Dyer, **2<sup>nd</sup> District**
- Jocelyn Liles, **3<sup>rd</sup> District**
- Aaliyah Lewis, **4<sup>th</sup> District**
- Nyaejah Robinson, **5<sup>th</sup> District**
- Angel Mendenilla, **6<sup>th</sup> District**
- Oliver Conaty, **7<sup>th</sup> District**
- Veronica Dougherty, **8<sup>th</sup> District**
- William Santacecilia, **At-Large A**
- Joseph Orth, **At-Large B**
- Drake Walsh, **At-Large C**
- Zane Hines, **At-Large D**
- Tess McMenamin, **Mayor**
- Isabella Gioffre, **Treasurer**
- Helena McKnight, **City Solicitor**
- Edna Earl-Hughes, **City Clerk**

**Each student introduced themselves and the district they were representing as well as introduced their parents and/or other family members and teachers.**

President Gregory thanked Traci Owens and staff for the job they did in coordinating the reception and all the ceremonies surrounding the Kalmar, Sweden celebration. In addition, he thanked Council Members Cabrera, Chukwuocha and Dorsey Walker for their participation in Youth in City Government's process this year. Also, President Gregory congratulated WITN staff, Yesenia Taveras for being awarded 1<sup>st</sup> Place by the Delaware Press Association 2013 Communications Contest for the show she did (Latinos in Action) which was a show about the cultural experience in the Latino community in the City of Wilmington; Paul Kennard and Paul Colsey for being awarded 2<sup>nd</sup> Place in the Best Television News Cast for WITN's Update News and for Best Television Prepared Report, Paul Kennard received an honorable mentioned for a video tribute to former Mayor, James M. Baker and in the category of Best Television Special Programming, Paul Kennard also received a 3<sup>rd</sup> Place award for "Where in Wilmington" segment which featured a profile in history of St. Hedwig's Church. President Gregory thanked them for the good work that they are doing.

### LEGISLATIVE BUSINESS

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President, thank you.

President Gregory: Councilman Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Councilman D. Brown.

Mr. D. Brown: Nothing tonight Mr. President.

President Gregory: Councilwoman Shabazz.

Ms. Shabazz: Yes Mr. President. I have two (2) Ordinances to present for first and second reading.

Ms. Shabazz presented and called for the first and second reading  
Ordinance No. 13-014 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CITY CONTRACT 13020WD – WATER DISTRIBUTION  
SYSTEM MAINTENANCE WITH BRANDYWINE  
CONSTRUCTION CO., INC.

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

Ms. Shabazz: I have a second Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-015 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CITY CONTRACT 13036PW – SEWER CONSTRUCTION  
WITH BRANDYWINE CONSTRUCTION CO., INC.

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

President Gregory: Councilman Prado.

Mr. Prado: Yes Mr. President. I have three Resolutions tonight to present.

Mr. Prado presented Resolution No. 13-033 as follows:

**WHEREAS**, the City of Wilmington, through its Department of Real Estate and Housing, has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-036.10-408, which is located at 606 E. 11th Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, Inter-Neighborhood Foundation of Wilmington, being the owner of the Property, is willing to accommodate the City of Wilmington's request to transfer title to the Property to the City of Wilmington; and

**WHEREAS**, the Department of Real Estate and Housing intends to utilize the Property to temporarily house participants in the City's De-Lead Program; and

**WHEREAS**, following the completion of the City's De-Lead Program, the Department of Real Estate and Housing intends to cause the Property to be listed for sale to an owner-occupant for homeownership.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council, acting pursuant to 1 Wilm. C. (Charter) §8-204, hereby approves the acceptance of the Property by the City of Wilmington from its current owner, Inter-Neighborhood Foundation of Wilmington, and authorizes the Department of Real Estate and Housing to take all actions necessary, including the payment of any recording fees, to finalize the transfer of the Property to the City of Wilmington.

**BE IT FURTHER RESOLVED** that Council hereby approves of the use of the Property to temporarily house participants in the City's De-Lead Program and the listing of such Property for sale to an owner-occupant for homeownership when it is no longer needed for the De-Lead Program.

**BE IT FURTHER RESOLVED** that Council hereby authorizes the Department of Real Estate and Housing to execute any and all documents and to take all actions necessary to effectuate the temporary housing of participants from the City's De-Lead Program in the Property and the subsequent listing of the Property for sale to an owner-occupant for homeownership.

Mr. Prado: Yes Mr. President. This Resolution would allow the City to acquire a property from Inter-Neighborhood, what's it called, Inter-Neighborhood Foundation, at no cost and it's to be used as a lead free location home for families and children whose home are undergoing lead remediation. The City spent over a hundred thousand to fix this house and now that we're doing De-Lead in the city, it would actually, it will come in handy by - - instead of having to put them up in hotels, we can use this home as a place - - as a temporary residence until their homes are - - until they can remediate all the lead in a home.

President Gregory: Clerk, call the roll.

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

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: Yes, I have a Resolution to present.

Mr. Prado presented Resolution No. 13-034 as follows:

**WHEREAS**, the City of Wilmington is an Entitlement Community for purposes of Community Development Block Grant (CDBG), HOME Partnership Program (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for People With Aids (HOPWA); and

**WHEREAS**, the United States Department of Housing and Urban Development ("HUD") regulations require a consolidated application process for funds for the Community Development Block Grant (CDBG), HOME Partnership Program (HOME), Emergency Solutions Grant (ESG) and Housing Opportunities for People With Aids (HOPWA); and

**WHEREAS**, the Council desires that the City of Wilmington participate in the Consolidated Plan process of the United States Department of Housing and Urban Development (HUD); and

**WHEREAS**, the Housing and Licenses and Inspections Committee of City Council has completed its review of the proposed Consolidated Annual Action Plan Budget pursuant to a determination that such review should be completed prior to, and, in

effect, be separate from the enactment of the City's Fiscal Year 2014 Annual Operating Budget; and

**WHEREAS**, the Housing and Licenses and Inspections Committee and the Mayor's Office have reached a consensus with respect to specific categories of spending and the amount of funds to be allocated to each such category, as set forth in the Fiscal Year 2014 Consolidated Plan Annual Action Plan Budget (Exhibit "A"), a copy of which is attached hereto; and

**WHEREAS**, the Housing and Licenses and Inspections Committee and the Mayor's Office have agreed further that any substantial changes as defined in the Consolidated Plan regulations in the aforesaid categories and funding amounts will be reviewed in full by the Mayor's Office with the Housing and Licenses and Inspections Committee before implementation; and

**WHEREAS**, the referenced HUD regulations require that funding applications for the above-referenced funding sources must meet the public action requirements of the Consolidated Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Mayor Dennis P. Williams, or his designee, is hereby authorized to submit the Consolidated Plan for Fiscal Year 2014 to the U.S. Department of Housing and Urban Development, which allocates \$1,914,703 for the Community Development Block Grant (CDBG); \$200,000 in prior years reprogrammed CDBG funds; \$182,996 for Emergency Solutions Grants (ESG); \$47,313 in prior years uncommitted ESG funds; \$378,976 for HOME Investment Partnerships (HOME); \$38,000 in HOME Program income; \$575,240 for Housing Opportunities for People With Aids (HOPWA); \$11,292 in prior years reprogrammed HOPWA funds, which together will comprise a total Fiscal Year 2014 Consolidated Annual Action Plan Budget of \$3,348,520.

**FURTHER RESOLVED**, that the City Council hereby endorses the specific enumeration of categories and amounts set forth in the Fiscal Year 2014 Consolidated Annual Action Plan Budget, a copy of which is attached hereto and made a part hereof, and so endorses said enumeration, with the understanding that the Mayor's Office will expend funds and administer the funding program in a manner consistent with said enumeration and will review substantial changes, as defined by the Consolidated Plan regulations, in the enumeration of categories and amounts with the Housing and Licenses and Inspections Committee of City Council prior to the implementation of any such changes.

**FURTHER RESOLVED**, that Dennis P. Williams, Mayor of the City of Wilmington, is hereby authorized to execute and submit to the United States Department of Housing and Urban Development the Consolidated Plan for Fiscal Year 2014 and he is hereby further authorized to certify to such matters as the U.S. Secretary of Housing and Urban Development may require with the application, to provide additional information as may be required, and to administer and expend such funds as are received or become available in accordance with the Consolidated Plan regulations and the regulations governing Community Development Block Grant (CDBG), HOME Partnership Program (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for People With Aids (HOPWA).

Mr. Prado: Yeah, this is a Resolution - - this is from the Department of Real Estate and Housing and this is to authorize the CDBG funds that are used for housing opportunity with people with Aids and emergency solution grants. It's in the amount of three million, three hundred forty eight thousand and five hundred and twenty dollars. This is something that we do every year. Unfortunately, it was cut a little bit this year but I had some issues with particularly one organization on this list but I had - - the staff looked at it and it was better - it was decided that it was better to just move forward with it because it was a little late in the game. But I had the staff check into whether next year I could have a say or whoever is in charge of the Housing Committee, I think should have a say where this funds are distributed because I had another concern about this was I don't think geographically it's been spread around the City like it should be. There was some organizations particularly that serve in my part of town that were shut out from this but it's - - I understand I'm new to this and I'm willing to give them a chance and I believe it was done with the best intentions. I don't think it was anything intentional was done. So, I will be supporting it but I would like to - - myself or whoever on the Housing Committee, I think we should have a little bit of say in this next time these decisions are made as where federal money can be allocated to. But other than that, I will be supporting this tonight.

President Gregory: Mr. Prado, let me respond to both of your concerns and rightful concerns in two (2) ways. One, with respect to how the money was allocated and to certain organizations that you may have not approved of, I believe there some dialogue taken place and I was in a meeting where people are talking and I know that some concessions have been made with respect to one organization. They're in fact closing in or they've have moved at homeless shelter. So, people are being responsive to our concerns as legislators. Secondly, I was on City Council for twenty-four years but twenty of those years a CDBG was severely influenced by Wilmington City Council. Then I think in my last four (4) that influence went across the hall and coming back as President, I've made it point to say that the City Council should be and will be involved in the process. The process changed since my first twenty (20) years to a process of where a committee make the decisions and we had some inclusion in that process with Chief of Staff but will - - we were ensure that you involved as Housing Chair more next year in that process. Okay?

Mr. Prado: Thank you. I appreciate that.

President Gregory: Thank you. Anybody else?

Ms. Shabazz: Mr. President.

President Gregory: Yes.

Ms. Shabazz: Thank you Mr. President. As a very strong advocate of the CDBG grant, my participation in the National League of Cities, we've gone to the federal delegation and fought hard for them not to cut it so that the monies could come down to

the small municipalities and some of the organizations that on this list are doing great work for those who are less fortunate - - that protected class of people and I do have an even stronger passion for the homeless because when you don't know what it feels like to be outside with no place to stay and this grant would be able to provide those types of services. I'd also like to say that I will be voting present even though I am support of it because I do work for the agencies that are receiving funds. Thank you Mr. President.

President Gregory: Thank you. Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Sir. I will also be voting present because I too work for one of the agencies that would be receiving community development block grants and I'm also would like to say I think a great that some of the community development block grants have went to youths service funds this year. Thank you.

President Gregory: We aggressively are trying to direct policy in that direction. I think the good thing is that both the Mayor and myself have a strong agenda for supporting youth. So, that's a good thing. Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. D. Brown: Mr. President, from yes to present.

Mrs. Seijo: I already called it.

President Gregory: Declare it adopted.

Mrs. Seijo: Just for clarity. I tallied the vote, 11 Yeas and 2 Present.

President Gregory: The record is noted as to what just transpired. So there was still that attempt. So, we're okay.

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

Mrs. Seijo: I'm sorry Mr. President. Can you clarify for me please?

President Gregory: Whatever you called was the vote.

Mrs. Seijo: Thank you Sir.

Mr. Prado presented Resolution No. 13-035 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending Section 2-363 of the City of Wilmington Code, Council of the City of Wilmington ("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 when necessary, prior to Council's resolution; and

**WHEREAS**, the City of Wilmington ("City"), through the Department of Planning, has sought to obtain grant funding from the Delaware Division of Historical and Cultural Affairs in the amount of \$17,272.00 of funding to continue the City's Historic Preservation Planning Program for the Federal Fiscal Year 2013; and

**WHEREAS**, the said grant will provide grant funding to continue the City's Historic Preservation Planning Program which has been in existence for over twenty-five years; and

**WHEREAS**, Council deems it necessary and proper to authorize the Department of Planning to submit the aforesaid application to the Delaware Division of Historical and Cultural Affairs.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that the Department of Planning is hereby authorized to apply to the Delaware Division of Historical and Cultural Affairs for grant funds in the amount of \$17,272.00 to fund the City's Historical Preservation Planning Program for the Federal Fiscal Year 2013.

**FURTHER RESOLVED** that the Department of Planning shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, and, if and when the grant is forthcoming, to administer the grant and the grant program for the City of Wilmington.

Mr. Prado: This will – with the approval of this Resolution it would authorize the City to allocate - - it's a small grant of \$17,272.00 to Historical and Cultural Affairs - - actually no, I'm sorry that's where it comes from - - from the Delaware Division of Historical and Cultural Affairs and they use this money for part of the salary of the Historic Preservation Planner and they use it for some other things in terms of historic preservation in the City.

Ms. Walsh: Can I ask a question?

President Gregory: Councilwoman Walsh.

Ms. Walsh: I guess the question I wanted to ask is on something like this right now, I understand that the Planning Department is going in a kind of whole new direction again where they're not going to be so much about real planning issues but more societal issues and does anybody know how these are kept under check, these grants? I don't need an answer tonight but I think we should get an answer on it.

President Gregory: We can go ahead. Ms. Hanson you can come up to speak to the matter. Yes.

Ms Walsh: Sorry. I didn't see you in the audience I would have asked for you.

Ms. Sophia Hanson: Good evening. This grant has been around in our department for over twenty (20) years. It supports a consultant that does the programmatic work with State through the Department of Cultural Affairs. Most of the funds come from the General Fund. This is a small portion of the grant and I'm not sure what your question is. Could you clarify?

Ms. Walsh: That what I wanted somebody to tell me what the grant did.

Ms. Hanson: Oh okay. This is just to continue our historic preservation work. It's absolutely no change to the normal process and protocol of our department.

Ms. Walsh: Okay, thank you.

Ms. Hanson: Thank you. Is there any other questions?

President Gregory: Thank you.

Ms. Shabazz: Identify yourself please.

Ms. Hanson: Sophia Hanson, Director of Department of Planning, thank you.

President Gregory: Clerk will call the roll.

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

President Gregory: Are you holding the ordinance?

Mr. Prado: Yes. I'll be holding Ordinance 3822.

President Gregory: Declare it adopted.

Mrs. Seijo: Thank you.

President Gregory: Okay. Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: No legislative business tonight. Thank you Sir.

President Gregory: Mr. Freel.

Mr. Freel: Nothing. Thank you Sir.

President Gregory: Mr. Brown.

Mr. M. Brown: Thanks for asking Mr. President. I think you're talking about me, nothing tonight Sir.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation, thank you.

President Gregory: Mr. Wright.

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

President Gregory: Let me quickly comment on the budget process. Chief of Staff, Romain Alexander, had an initial conversation today with Mr. Matlusky and Ms. Barnes assumed that they're going to be holding conversation. I had conversation with a couple of other Councilpersons...

Mr. M. Brown: Can you talk in the mic?

President Gregory: ...have a conversation with a couple of other Councilpersons tomorrow, then we will be having our Finance Committee meeting on Monday and presumably and hopefully be voting on the budget ordinances on Thursday. Keep in mind that we did not vet the capital budget as much as we did the operating budget which is the tradition but I would encourage you to just read through it and if you have any questions, ask the questions.

Mr. M. Brown: I make a motion to adjourn except to given Councilman Freel ninety seconds.

Mr. Williams: Second.

President Gregory: It's been properly moved to adjourn the meeting except for given Councilman Freel ninety second. Mr. Freel.

### PETITIONS AND COMMUNICATIONS

Mr. Freel: Mr. President, I just want to stress that as you mentioned that we are scheduled to vote on the budget package next Thursday evening. The Finance Committee meeting will be Monday at 5:00 p.m. in the Workshop and it's our responsibility at that meeting to vote out of committee the five (5) ordinances that we should voting on next Thursday night. I did want to stress though that there is still I think one major issue between the Operating Budget and the Water/Sewer Fund Budget and the fact that we have increased the indirect cost to the Water/Sewer Fund and we have not heard from the Administration yet the reciprocal of that and what the General Fund owes to the Water/Sewer Fund. I'm being told we will have the information tomorrow and I hope so - - so that we can complete our work next week and have a revenue package.

President Gregory: Also....

Mr. Wright: Mr. President.

President Gregory: ...we asked for some follow-up documents and Ms. Basnight has a lot of those documents and I can't say that she specifically has the one that you may have asked for as an individual Councilperson but they did deliver package yesterday. Mr. Wright.

Mr. Wright: Thank you Mr. President. I just want to say that please everyone that's watching, on Tuesday, May 14<sup>th</sup> is the school board election. So, please exercise your right to vote and go out and make your vote count in the school board election on Tuesday and govern yourselves accordingly. Finally, if I may, I just like to say, Happy Mother's Day to my mother and all the mothers that are present as we look towards Sunday. Thank you.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 8:00 p.m. Motion prevailed.

Attest:

  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
May 16, 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 May 9, 2013, upon a motion of Ms. Walsh, seconded by Mr. D. Brown, it was moved they be accepted as written. Motion prevailed.

### REPORT OF COMMITTEES

Mr. Freel presented the following five-committee reports:

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

DATE: 5/13/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-009**  
entitled:

AN ORDINANCE TO AMEND CHAPTER 45 OF THE CITY CODE REGARDING SEWER SYSTEM UNIT CHARGES, WATER RATES AND CHARGES AND STORM WATER RATES AND CHARGES FOR FISCAL YEAR 2014

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/Samuel Prado  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr.

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

Finance Committee Member	Present	Absent with Leave	Absent w/out Leave
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado	X		
Hanifa G.N. Shabazz	X		
Loretta Walsh		X	

DATE: 5/13/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-010** entitled:

AN ORDINANCE ESTABLISHING A RATE OF TAXATION ON REAL PROPERTY AND THE TAXABLE PROPERTY OF PUBLIC UTILITIES FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014

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/Samuel Prado  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr.

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

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

DATE: 5/13/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred Sub. #1 **Ordinance No. 13-011** entitled:

**AN ORDINANCE TO ADOPT A CAPITAL PROGRAM FOR THE SIX FISCAL YEARS 2014 – 2019, INCLUSIVE**

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/Samuel Prado  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr.

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

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

DATE: 5/13/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred Sub. #1 **Ordinance No. 13-012** entitled:

AN ORDINANCE TO ADOPT A CAPITAL BUDGET FOR FISCAL YEAR 2014

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/Samuel Prado  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr.

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

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

DATE: 5/13/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-013** entitled:

AN ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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/Samuel Prado  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr.

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

### TREASURER'S REPORT

The following Treasurer's Report dated May 16, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON May 16, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 4,961.25
106	Fire Pension Account	M & T Bank	\$ 4,683.09
107	Evidence/Found Currency Account	M & T Bank	\$ 213,548.97
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 3,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 9,841.59
117	Cement Workers	Wilmington Savings Fund	\$ 33,343.46
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,286.52
130	Payroll	M & T Bank	\$ 189,472.92
131	Pension Payroll Account	M & T Bank	\$ 15,647.28
139	Pension Healthcare Account	M & T Bank	\$ <u>9,628.38</u>
	Total Cash on Hand		\$ <b>506,240.92</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	05/16/13	0.25%	\$ 54.67	\$ 7,981,224.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	05/24/13	0.25%	\$ 81.58	\$ 425,345.22
124	Non-Uniform 1990	WSFS	CD	05/29/13	0.30%	\$ 1,216.85	\$ 4,935,000.00
106	Fire Pension	WSFS	CD	05/29/13	0.30%	\$ 776.71	\$ 3,150,000.00
116	General	WSFS	CD	05/31/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 3,863.01	\$ 10,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
110	Capital	WSFS	CD	06/03/13	0.30%	\$ 986.30	\$ 2,000,000.00
116	General	WSFS	CD	06/10/13	0.30%	\$ 1,084.93	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	06/14/13	0.25%	\$ 5,580.07	\$ 14,292,802.00
116	General	WSFS	CD	06/14/13	0.30%	\$ 920.54	\$ 2,000,000.00
116	General	WSFS	CD	06/28/13	0.30%	\$ 1,035.61	\$ 2,000,000.00
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
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,008,168.00
104	Escrow Pension	Vanguard					\$ 18,340,100.00
104	Escrow Pension	Black Rock					\$ 52,504,966.00
104	Escrow Pension	Edgar Lomax					\$ 26,942,130.00
104	Escrow Pension	Wilmington Trust					\$ 31,026,119.00
104	Escrow Pension	Manning & Napier					\$ 23,930,712.00
104	Escrow Pension	Earnest Partners					\$ 12,006,904.00
104	Escrow Pension	GMO					\$ 10,708,350.00
139	Medical Escrow	Merrill Lynch					\$ 9,848,519.00
116	The Hartford	Deferred Comp.					\$ 33,910,467.00
	Total Investments						\$ 308,952,704.26
	Total Cash on Hand						\$ 506,240.92
	Grand Total						\$ 309,458,945.18

<sup>1</sup> Budget Reserve

<sup>2</sup> Lincoln Towers BAN

<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

## NON-LEGISLATIVE BUSINESS

No presentations this evening.

## LEGISLATIVE BUSINESS

Mr. Freel presented and called for the third and final reading Ordinance No. 13-009 entitled:

### AN ORDINANCE TO AMEND CHAPTER 45 OF THE CITY CODE REGARDING SEWER SYSTEM UNIT CHARGES, WATER RATES AND CHARGES AND STORM WATER RATES AND CHARGES FOR FISCAL YEAR 2014

Mr. Freel: Yeah, I do want to make some comments on this one Mr. President. This is establishing our water rates for Fiscal Year 2014; we will see a 12 percent increase in the City's water and sewer rates, and 11 percent increase in the storm water rates. For someone who averages about 15,000 gallons of water, it comes out to about \$5.00 per month. I did, I did want to say that this continues our financial plan objectives for the Water/Sewer Fund; it helps finance the 2014 to 2019 Capital Program, it pays back some funds that are owed to the General Fund, it builds a 60-day operating reserve, and it achieves debt service coverage of at least 1.2. We do have some other steps I think that we need to take as we proceed in the upcoming months. This is a \$72 million enterprise fund. I think it's imperative that we collect all monies that are entitled to the Water/Sewer Fund. Just the fact we charge the fund indirect costs of, from the General Fund we need to charge the General Fund for any water and sewer charges, and that needs to also happen with any County agencies or State facilities. I think we have to start talking about separating the Water and Sewer Fund away from the Public Works Department and let it stand alone. We should look at separating all funds for revenue so that when we are facing our rate payers and we are establishing reserves we can show them exactly where those reserves and dollars are, and I think we need to start talking and exploring the long time, long-term governance of this, of this fund and I'll answer any questions that Council members may have.

President Gregory: Mr. Prado.

Mr. Prado: Thank you Mr. President. I was at a community meeting on Tuesday night, and this subject came up, and you know, people are not pleased about these increases, and I mean even I myself have noticed my water bill has gone up significantly in the last four years. But due to this budget proc-, the budget hearings, which I think Councilman Freel did an excellent job along with the City Council staff, particularly Marchelle. I think we were informed then presented with what the situation is and it, and, I think I was able to explain to the folks over in Cool Spring and the Hilltop, cause it was also discussed there, too, to a certain extent, why this is happening and, you know, we're elected to do, and sometime we have to make decisions that are not popular; this is certainly not a popular one, raising water rates, but, as I explained to the people,

the water fund is separate and it has to be self-sustaining and the way things were done in the past cannot happen in the future anymore. So, unfortunately our hands are tied and we have to raise these rates in order to you know, keep up with the water system and making sure that it's being maintained and repaired, and folks still don't like it but I think that the point is, has been made that this is necessary in order to make this water fund sustainable, but and not just sustainable but also to be operating in the black instead of the red. So, I think that after explaining to my constituents, thanks in part to the budget process and also the description from the Public Works Department, I think that most people are informed of this situation and are aware that this has to be done despite the fact that we're living in tough times and the last thing people want are increases, but the - in the long run this is going to be good for the City of Wilmington and I think that in the end it'll, it will be a benefit to everyone once this proce-, once the fund is stabilized. Thank you Mr. President.

President Gregory: Thank you. Ms. Walsh.

Ms. Walsh: Mr. President, just one more thing to add to that, I was reading this article, I think it was in the *TIMES*, over the weekend, and it was about a county in California that has not received any money from the Feds for water quality and specifically because they haven't followed the Federal rules, and the Feds keep dumping more and more regulations on municipalities as to how they do have to treat their water, so besides complaining to us, which everybody has every right to do, they might want to talk to some of their Congressional leaders, too, because the Federal Government has put an awful lot of regulations in that we, as a city, have to follow, which has added to the cost of our water treatment. That's all I have.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. There's not many of us that enjoy increases, tax increases, particularly, as we look at our water and sewer rate increases that are proposed here tonight. There's not many Warren Buffets in the City of Wilmington, so, I know, I know from my district, the 3<sup>rd</sup> District, there are many families that have multiple children and they will be disproportionately affected in a sense, by this increase because of the amount of people that are in that, the actual household with the usage of water. I do, however, believe that this is a very responsible piece for us as a body to govern our city and to move our city forward that, as Councilman Prado spoke earlier, move us into the black and out of the red, that we would have this separate fund, so I just wanted to say that for the record.

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

Upon a motion of Mr. Freel, 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, 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.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-010 entitled:

AN ORDINANCE ESTABLISHING A RATE OF TAXATION ON REAL PROPERTY AND THE TAXABLE PROPERTY OF PUBLIC UTILITIES FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014

Mr. Freel: Yes, Mr. President. This establishes the rate of taxation, better known as the property tax, for the Fiscal Year 2014 and as we know, the Mayor did not propose any tax increase.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, 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, 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.

Mr. Freel presented and called for third and final reading Ordinance No. 13-011 entitled:

AN ORDINANCE TO ADOPT A CAPITAL PROGRAM FOR THE SIX FISCAL YEARS 2014 – 2019, INCLUSIVE

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

AN ORDINANCE TO ADOPT A CAPITAL PROGRAM FOR THE SIX FISCAL YEARS 2014 – 2019, INCLUSIVE

Mr. Freel: Mr. President this establishes a six-year Capital Program for Fiscal Years 2014 to 2019. As you know, at the Finance Committee meeting on Monday we did do one amendment deleting \$2 million that was in the program because there seemed to be some confusion about exactly what those funds were for. I think we'll probably have some continued discussions on those and, and come back at a later date and possibly amend the Capital Budget.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh and Council President Gregory. Total, twelve. Nays, Council Member Wright. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for third and final reading Ordinance No. 13-012 entitled:

AN ORDINANCE TO ADOPT A CAPITAL BUDGET FOR  
FISCAL YEAR 2014

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

AN ORDINANCE TO ADOPT A CAPITAL BUDGET FOR  
FISCAL YEAR 2014

Mr. Freel: Yes, Mr. President, this is kind of the companion piece to the Program. This is the actual Capital Budget for Fiscal Year 2014, and the same amendment that applies the previous Ordinance applies to this Capital Budget.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Freel, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, eleven. Nays, Council Member Wright. Total, one. Present, Council Member Williams. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for third and final reading Ordinance No. 13-013 entitled:

AN ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

AN ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

Mr. Freel: Mr. President, I'd like to make a motion to amend Substitute No. 1 to Ordinance No. 13-003. On Page 1, Section #2 appropriations change from \$155,666,645 to \$155,477,114. On Page 2, the Director of Office of Management and Budget Contingencies, make the following changes: Contingent Reserves, City, change from \$300,000 to 0 dollars. Contingent Reserves total, change from \$300,000 to 0 dollars. On Page #5, Department of Parks and Recreation, make the following changes: Personal Service, Services, City, change from \$4,153,612 to \$4,264,081. Personal Services total change from \$4,240,534 to \$4,351,003. City total change from \$8,439,121 to \$8,549,590. Total change from \$8,569,541 to \$8,671,010. Position Allocation List Attachment A, Page #13, add the following position: Deputy Director of Parks and Recreation, Grade E06. Executive Managerial Salary Program and Salary Structure Matrix, Attachment B Page 2, add the following position: Deputy Director of Parks and Recreation, Level 6. That's my motion.

Ms. Walsh: Second.

President Gregory: Properly moved and second. On the question.

Mr. Freel: Mr. President, basically that adds one position back, and deletes \$300,000 from the City Contingency Fund.

President Gregory: Clerk will call the roll.

**ROLL CALL VOTE ON AMENDMENT**

Mrs. Seijo: Mr. Chukwuocha.

Mr. Chukwuocha: Yes.

Mrs. Seijo: Mr. Congo:

Mr. Congo: We weren't given a chance to...

President Gregory: I looked around.

Mr. Wright: I raised my hand.

President Gregory: No, I had already said Clerk will call the roll.

Ms. Walsh: Can I have a point of order? You have a roll call going on. The roll call can't be interpreted.

President Gregory: Clerk, call the roll.

Mrs. Seijo: Mr. Congo.

Mr. Congo: No.

Mrs. Seijo: Mr. Darius Brown.

Mr. D. Brown: Yes.

Mrs. Seijo: Ms. Shabazz.

Ms. Shabazz: Yes.

Mrs. Seijo: Mr. Prado.

Mr. Prado: Yes.

Mrs. Seijo: Ms. Dorsey Walker

Ms. Dorsey Walker: We can't comments right?

President Gregory: There will be a period for petitions and communications in the end for any discussion that you may want have said during the budget process.

Mrs. Seijo: Ms. Dorsey Walker.

Ms. Dorsey Walker: I'm sorry. Yes.

Mrs. Seijo: Mr. Williams.

Mr. Williams: Present.

Mrs. Seijo: Mr. Freel.

Mr. Freel: Yes.

Mrs. Seijo: Mr. Michael Brown.

Mr. M. Brown: Yes.

Mrs. Seijo: Ms. Cabrera.

Ms. Cabrera: Yes.

Mrs. Seijo: Ms. Walsh.

Ms. Walsh: Yes.

Mrs. Seijo: Mr. Wright.

Mr. Wright: No.

Mrs. Seijo: Mr. Gregory.

President Gregory: Yes.

Mrs. Seijo: 10 Yeas, 2 Nays, and 1 Present.

President Gregory: Declare it adopted.

Mr. Freel: Mr. President, this is our Fiscal Year 2014 budget spending plan, this is my fifth year doing the budget and I can say that there's never been a year when somebody's been totally happy with the budget. It's a process where we must have give and take, to achieve the goals of the Mayor, City Council and, more importantly, our taxpayers. This compromise works towards some of the following items that were important to Council members and the Mayor, improving the quality of housing stock here in the city of Wilmington, working to maintain and attract jobs both in the large and small business sectors, improving communications between the Police Department and our communities, working with L&I and Public Works for cleaner neighborhoods, providing assistance for both education and youth initiatives, and looking down the road as we know we continue to face challenges in the years to come, we tried to reduce the size of the - - of Wilmington city government and I think we've done all those things. This budget comes in at around \$145,500,000. I will try to answer any questions that Council members may have.

President Gregory: Mr. Chukwuocha. Going to go in the order for petitions and communications at this time.

Chukwuocha: Thank you Mr. President. I just wanted to, for the, for the residents of, of the 1st District that the 1st District Neighborhood Planning Council will be having its election for officers - - it's taken place . . .

Mr. Freel: Mr. President. You're talking about discussions on the Ordinance, right? We haven't voted on the Ordinance.

President Gregory: Yes, we did.

Mr. Freel: We voted on the, on the amendment.

President Gregory: Yeah, we voted on it, on the Ordinance.

Mr. Freel: We voted on the amendments to the Ordinance, sir. We voted on the amendments to the Ordinance now we need to vote on the . . .

President Gregory: I'm sorry. I'm sorry. Did you move and second that the Ordinance be. . .

Mrs. Seijo: Walsh seconded it.

President Gregory: It's been properly moved and seconded that that be known as the enacting clause of the Substitute Ordinance as amended, and call for a yea/nay vote. On the question.

Mr. Freel: That's what I just did, I just gave. . .

President Gregory: You just gave that. Anybody else? Then I call the roll.

Ms. Walsh: No, that was on the amendment, Mr. President.

President Gregory: Good, look, on the question for the Ordinance now. Mr. Wright.

Mr. Wright: For me, alright, there, there are a number of issues for me personally, about Council's proposed budget. For, for some of us, ten or fifty thousand dollars in question has not been explained to all of Council. I personally found out reading it in the newspaper, especially with the \$75,000 that's already being proposed for educational advocacy program. I had questioned, personally, if the remaining \$175,000 has already been allocated. The idea has not been posed, polled to all of Council, not to mention the entire budget proposal, didn't include insights from all Council members, but rather from a select few. Also, another alarming fact, for me is that for the past 12 years, City Council has always provided funding to the library, however, this current Council decided that more traditional allotted for the library need to be paid by the Administration and refused to budget for that designation, which is ironic. This grades, gives great cause for concern for me because the meeting before the meeting keeps happening and certain Council members are still excluded, in my estimation, Council leadership is once again steamrolling their ideas over the rest of Council. I challenge my first-term Council members to think long and hard, research before you sign on to something, and most of all know your options. Please don't accept what another member says without verification.

Lately, the verbiage or the direction you speak to a senior member of Council or somebody you feel comfortable with, one of the big five, the fab five, or many five, however you designate the term, the problem is as I see it is that it only lends itself to subjective persuasions which are dressed up like objective viewpoints. To my first-term colleagues I ask just, I ask you to ask yourself what did you ask for or honestly scrutinized within Council's budget proposal other than possibly the salary increases or the Deputy Director's position which has now been, been rescinded, which overshadows the other salary increases that are included, even now. Why this Council, and this is me asking, why is this Council attempting to run the city and take over the executive branch mindset? I agree we have a fiduciary responsibility, as well as we much assure our checks and balance system is in place. Nevertheless, to what extent to do we go too far? This appears to be about personal projects and wants-to-haves and nothing new in my estimation, as well as jockeying for position. Change isn't something we say, it's something we do and it can only be measured by our actions. This is not about the powers that be but about the people who can't see, and in my estimation those are the constituents. My question is, are we championing our constituents' causes or our own self-interests or those of our colleagues? Is \$250,000 that important to a Council as a whole, especially when \$75,000 is already guaranteed for the president's educational advocacy initiative, which is beyond me as a Council member who has had no insight on this issue? At some point, we must be the change agents we talk about, and finally I just say we cannot continue to take on the posture of micromanaging. Thank you.

President Gregory: Anyone else? Mr. Williams.

Mr. Williams: The question was raised as to the legality in reference to our responsibility in, in this budgetary process. Having served 20 years as a police officer I, I, I need to have a complete and full understanding of the legalities. I, I have before me two documents that are completely in opposition. Therefore I, I can't vote either way until I have that answer, an affirmed answer as to whether this is even legal or not. Thank you.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: I'd like to say that I'm a huge supporter of both Mayor Williams, as well as the Council President but regarding this process I have been very disheartened and disappointed as a new Council member. I feel that both men are good people; I've learned a lot from both you Mr. President, as well as Mayor Williams, but this process was not easy. We should learn how to compromise. Last week we had Youth in City Government, and those young people look up to us and they aspire to be like us and with what was exemplified over the last seven days, I wouldn't want any young person to be anything like what I've seen over these seven days. I, like I stated, I'm disheartened and disappointed. Both of you have helped me in my district tremendously and for that I am very grateful, but we need to really learn to work together. This process was ridiculous as far as I'm concerned as a newly-elected official and I didn't sign up for the nonsense. I signed up to be a change agent, as my colleague

Councilman Wright just stated. This can't happen again, and I'm voting not against the Mayor, not against Council but for the people. Thank you.

President Gregory: Thank you. Mr. Prado.

Mr. Prado: Yes, Mr. President, I'm, I, too, think that this has been a this process has been a little bit more stressful than, than usual, but you know, I, I have to make decisions sometimes that are, you know, that are hard but I have to do what I think is right, and, not just what would the people want but also what I feel is the, is the right way to vote, and I've made that mistake of, of voting where the wi-, wherever the political winds are blowing and I'm never going to do that again. I made a pledge to myself, but, you know, my vote tonight is not a reflection of anything against Mayor Williams. I, I support this mayor, I want a, I want him to succeed and I think he has a vision and I, I want to be there to, to help him carry that out. But that doesn't always mean we're going to agree on, on certain things and, and this is a case where I, I have to vote with what I think is right and I think that, that the proposal by City Council is the, is the right way to go tonight, so that's how I'll be voting, Mr. President.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I, I, too, my, my colleagues, a few of them, expressed sentiments of, of concern and I, I, too, have them in, mainly in, in regard to I, I guess programmatic I, I'm trying to, to understand and, and, and it, it's a, a, a question I have that, that's burning in me that I haven't heard the answer to yet. The difference between uh what we're calling grants and, and programs and, and I, I've, I've read where it says that, that the difference is that, that we aren't controlling the, the expenditures once they're disbursed but if we have a reporting mechanism and it outcomes that that must be met then according to grant writing and receiving we, we are, that's, that's a control mechanism so, I, I, I'm, I'm torn between that, that difference to me and that, that's troubling me, for I, I, I don't see that, that clarity in, in what's been presented. Thank you

President Gregory: Thank you. Ms., Ms. Walsh.

Ms. Walsh: Mr. President, I, I guess I've perceived as being one of the fab five, I don't know, and I, I take, you know, minor offense at some of the statements that were made because I don't have one project in this budget, I didn't have projects in the budget when Jim Baker was mayor, when Jim Sills was mayor, for the short time I was here with Jim, with Mayor Sills and because I don't go for the big budgets or the big budget items for projects for myself, and that I found your willingness to meet with people, whenever they wanted, to answer whatever question, you got to do a little bit better with your voice mail, you need to dump that a little bit sooner than you do now, but other than that if I couldn't get a hold of you I would call staff and say I want to talk to him, you know, I, I'm not understanding what's going on. I think this is real unfortunate.

You know, we have a lot of new people who have been dealing with this budget, too. New on the side of the Mayor's people, new on the side of our people, too and with some of, sometimes things that are minor irritations become major slights, and people are still feeling each other out to see how all this is going to go down. So, I, I think people need to understand that, that the success of a mayor is the success for an entire city. That I don't know anybody on this floor who thinks they're going to be running against the mayor in three and a half years now or has voiced that. I don't know anybody who, on this floor, that I've heard say I really want him to screw up. I've heard none of the above. Because I think everybody's hearts really are in the right place. So, I just think it's been unfortunate that things have gotten lost in translation is kind of the way I look at it. I, I am supporting the amended budget tonight. This, this, too, shall pass I, I truly believe that you and the Mayor are uh going to be very firm going in the future on many projects together, as will this Council be there backing him up. But on this particular one, you know I campaigned for Jim Baker three times and I voted against all but one of his budgets. So, it's not personal. It's what I believe is correct for the people in our city.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Well I, too, will have to say that I have no projects in this budget and as my sister on Council, Sherry, Councilwoman Dorsey said, I think I expressed the same sentiments in conversations with her. As for political winds, I don't think there's a wind strong enough to sway me to change my integrity, my character or my passion when it comes to doing what's right for my constituents. During my campaign and on this floor, I've said it many, many times. We need to work together, we need to be a unite, unified force – the Mayor, City Council, all of us. Our city is in so much disarray, there is so many things that are wrong and yet so many things that are right, and if we can work together, we can get the things that are wrong right. This has not been an easy process; I don't think for any of us, and for the new people coming onboard, certainly very distasteful but this city needs leaders that are going to be strong and that are going to work together, and I for one have always said I will work and I'm supportive of this Mayor, of this Administration, these people are my friends, I call them my friends, I talk to them on a regular basis. We have such an awesome Council and this, we really should take advantage of the fact that every Council member here speaks with each other, communicates with each other, that we are comrades, that we respect each other, that we support each other at community meetings and on issues and that we are willing to do that with the Mayor and anyone else and our constituents. So, yes, we have choices to make; they may not be easy, but I know that for one, the constituents that I've spoken to and others are very supportive of this budget and I do hope that we go beyond this to work together as we go into the next three years. Thank you.

President Gregory: Thank you. Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. As I also one of those five that I've worked hard to get to that position and time served which put me in that ranking, I'm glad to be part of, of, part of a government that has two passionate sides of government

that are working strongly and using all of their might for what they think is right, and I think the City of Wilmington should be glad that we have that type of leadership. Then I mean, with new on both sides of the halls, there's new ideas and new perspectives and you know, coming together to, you know, once this storm I think settles are going through our newlywed time that I think we are going to have, or take all of this tenacity to put our heads together to solve a lot of the ills at the City of Wilmington cause we do have many of them. You know, and I think this is a great, we can, hopefully that we can turn this perceived negative to a positive to our, tell our children that even though you might disagree or you have some beef with somebody that you can come together and agree to disagree and do what's necessary and do what's right, and that is to run this city and we all took a pledge that we would remove all personal interests and do speak on behalf of the citizens that put us in this position and our forefathers made laws and rules as to, through the Constitution that we should govern so that it would not appear a personal move, and I think as we continue to make laws and the Administration do, use his vision to administer those, that our city will continue the progress that we are headed for, and on that basis I plan to support this budget tonight.

President Gregory: Thank you. Mr. Brown.

Mr. M. Brown: Thank you Mr. President. First and foremost, I want to thank Council first and Councilman Bud Freel for the hard work that he put in this budget in terms of putting it together and the meetings that we had was very informative. I want to thank you, Mr. President, I really want to thank you, as, as well as staff, as well as staff. I want to thank you, Mr. President, it's, you know, it's, it's, it's times like this, that, that you, you, you take your hits, you keep on ticking. Somebody, I read somewhere where it said when I was child I spaked, I spoke as a child. When, when, when I became a, a man I act like a man, and, and, and here it is you, you are a man of principles. This is not personal, why people think that I, the Mayor and I are, are at odds with each other, every day that we see each other we extend our hands to greet, to say hello and we have admirable and mutual respect for one another, so even he knows, even he knows, and I'm critical of, of some of things that he's doing at this time, but even he knows it's not personal. So, Mr. President, I, I want to thank you; I, too, I've been around for nineteen and a half years, ten as a Councilperson, and I've been around and I've seen a lot and I got confused a moment when it came down to the, the legality and talking about the Constitution, our rights.

If, if we was to go by, if, if we talking about the, the, I may say measly 250, if we talk about that money and it's not needlessly, but we talk about that money and the Constitution that, which we were giving two different versions of, I, I think that, that, that somewhere down the line we got to go way back and, and say to all those, starting with, when it started with Jim Baker from President, and, and, and it saying that we did, they did something wrong. They violated the Constitution. Nobody's ever said that to them before. This has never come up over twenty years and so I want to know why it comes up now? But nevertheless, we got bigger things to do. We got, we still got shootings going on; we got somebody that got killed in broad daylight once again, on, on Mother's Day, over in Riverside; we got, we got people getting, house getting robbed; we, we got children that, that are not going to school; we got violations of curfew; we got

youngsters that 66 percent dropout rate; we got on and on and on of problems. And here we are, here we are trying to meet the saddle in the road to pass a budget for the people. For the people so we can move forward.

I want to remind my colleagues, I get upset, no, no, don't, no don't hit me wrong, don't get me wrong, but this ain't my seat. This is not my seat! It's not yours! It's the people's seat! And, therefore, whatever budget we come up with, we got to make it work, for the people! We got to take personal stuff out of it. This is not my seat! And so, therefore, I'm going to support this budget and I thank you Mr. President. This is one of the best Councils I been on for ten years, I'ma speak for ten years. You respect each other. Somebody made a, made a accusation but the truth don't need no defending. You've included every one of these Council members. You have, sir. So, hold your head up high! Cause what's I said before, as I, when I was a child I acted like a child! Just cause I couldn't have my way, I act like a child! But when I became an adult, when I became a man, I put away those childish things. Now we all know that this - the right thing to do. So, I sit down in a seat that the people sent me to have! And I say I'll vote for this budget, and I ask my colleagues to follow suit, because this is not our seat. Thank you Mr. President.

President Gregory: Mr. Darius Brown. Thank you.

Mr. D. Brown: Thank you Mr. President. We began this, (inaudible) session back in January and this body was asked to cut some vacant positions, to bring on some new individuals. Now, I had spoken at that point in time in January about a budget being a set of values. The budget that we present, of where we put our dollars at, are a set of values. When we received the proposed budget there was a set of values that were presented to us as a body. In that set of values, were dollars that were designed for housing opportunities that were proposed to be put aside to balance our budget. But there were other dollars around economic development that were proposed to be put aside to balance our budget. For me as a Council person for the 3rd District, I care about the entire city, and even though I represent the 3rd District, I still have to look at the holistic approach to the entire City of Wilmington. It's important for us not to only be able to have a thriving housing stock for new residents, but in the 3rd District, where I have more rental than homeowners, it's important for us to also use these housing dollars that are unrestricted, because they're actually City dollars, they're not State or Federal dollars which come with certain restrictions, that we're able to use these dollars to provide home ownership opportunities in some of our more disenfranchised neighborhoods, like the 3rd District.

When it comes to economic development and we look at over the last two years, the unemployment rate in the city of Wilmington being at 10 percent. Before that it was at 13 percent, and the only reason why we had a three percent decrease was because our federal unemployment insurance benefit ran out. So, individuals stopped going to the Department of Labor to get a check every week to provide for themselves. We are challenged every day to address poverty in this city and when we set values in our budget and we take out housing dollars and we take out economic development dollars and we don't provide that opportunity for people, we are not looking forward to a

brighter future for our city. We are an inflection point here in the City of Wilmington, and so the budget that we have presented as a body is not just our budget. Much of the Mayor's proposal is still a part of this budget and so as we look forward to working over the next 43 months, I hope that we can articulate in our budget a vision. What is our vision around housing, what is our vision around economic development, what is our vision around education? Because it's all, it is also said, where there is no vision our people perish.

President Gregory: Mr. Congo.

Mr. Congo: Yes, thank you Mr. President. You know I, I guess I never really considered myself a politician. So, this, what I'm about to say is just a - - I just, I'm just saying it as a resident of Wilmington who wants to see the city be successful. You, you and Mayor Williams have to take your gloves off and, and, and, and try to do what's best just for the people in Wilmington. This process has been, it's been very embarrassing to be a part of a system where we're just constantly attacking each other. I'm not placing the blame on you, I'm not placing the blame on, on Mayor Williams, but it's, it's something that we really need to do some soul, some soul searching and try to figure out how we can, how we can move forward. If the budget passes, it passes; I'm not going to support it because I think some things really need to be explained to us in, in further detail. But the end of the day, we just have to do better, I have, I had, you know, so, so much hope, I guess, I guess that's the right word, when you, when you said you were running for Council President and, and Mayor Williams said, he was saying that he was going to run for mayor and I, and I supported both of you even though you know, you didn't have an opponent, but I would still support you and I, I'm always going to support Mayor Williams because I think both of you have the best intentions for the city, but I, I'm not sure where things got, got, got cloudy but they have and at the end of the day it's, it's having an effect of us as a Council and it, and even further it's having an effect on the people of Wilmington.

So, I just hope that we can move forward and, and, and try to, and try to handle things better face to face in, in Council to Administration and not live through the newspapers and not, and not live through the media, the, the radio stations, cause we're better than that and our residents deserve better than that and, and I guess like, like Councilman Brown, Mike Brown was saying we have so much work to do in the city, we, we really don't need to be fighting each other; we need to be fighting Dover, honestly, because they control so much of what goes on in the city. We need to focus so much more effort in education and, and trying to get funds that, that's a, that are going to support great schools and great teachers and we're just here nitpicking over thousand, you know a few thou, hundred thousand dollars when we should be demanding millions from Dover. We just have so much work to do Mr. President, I'm always going to support you like I said, I'm always going to have your back, but at the same time I always have to feel, I have to do what I feel is right, I'm always going to support Mayor Williams, but you two really have to, have to, you know, sit down man to man and, and face to face and figure out how we move forward, as I say, and I, and I, hopefully, you're not taking this as a disrespect, disrespectful moment at all cause it's, it's not that, and I

just want, I just want, I want you to be successful and I want Mayor Williams to be successful and I want the city to be successful. Thank you.

President Gregory: I, I sit here with my, my hands open, my heart open, and my, my, my mind continues to be open. Anyone who knows me knows that I can be as angry as I don't know what one day and be a friend the next day. I, I don't harbor anything. I don't have time to hate. I don't have time to dismiss people. I just don't do it. I want each of you to think how have I treated you? I'd have to be a very good chameleon to have treated you one way and to have treated Mayor Williams another one. Just be introspective and think about what I just said but can I do the best I can, the best I know how. Clerk call, call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the aforementioned Ordinance, As Substituted and 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, D. Brown, Shabazz, Prado, Dorsey Walker, Freel, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, ten. Nays, Council Members Congo and Wright. Total, two. Present, Council Member Williams. Total, one.

President Gregory: Declare it adopted.

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

### PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, community events and community projects in their districts. Comments were made regarding the budget hearings; the budget process and the need for Council to hire their own attorney.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 8:02 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
May 30, 2013*

Council met in special session on the above date at 6:00 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.

President Gregory: We will dismiss with the regular order of business tonight for the purpose of considering one matter. A yes vote will be a vote to override the veto - - a yes vote will be a vote to override the veto and a no vote will be to let the veto stand as is. Mr. Freel.

Mr. Freel: Mr. President, I'd like to make a motion to call for the vote to override the Mayor's veto on May 23<sup>rd</sup> with respect to Substitute No. 1 to Ordinance No. 13-013 As Amended that passed by this Council on May 16<sup>th</sup>.

Mr. M. Brown: Second.

President Gregory: It's been properly moved and seconded. On the question.

Mr. Freel: The motion pretty much says it all Mr. President.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Mr. Brown, Substitute No. 1 to Ordinance No. 13-013 As Amended Veto Overridden was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, D. Brown, Shabazz, Prado, Dorsey Walker, Freel, M. Brown, Cabrera, Walsh, and President Gregory. Total, ten. Nays, Council Members Congo, Williams and Wright. Total, three.

President Gregory: Declare it adopted. Motion to adjourn.

ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. M. Brown,  
Council adjourned at 6:02 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
June 6, 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 May 16, 2013 and May 30, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Ms. Shabazz presented the following two-committee reports:

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

May 15, 2013

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. 13-014 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF CITY CONTRACT 13020WD – WATER DISTRIBUTION SYSTEM MAINTENANCE – 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/Michael A. Brown, Sr.  
/s/Nnamdi O. Chukwuocha  
/s/Robert A. Williams

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

<u>Public Works &amp; 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		

May 15, 2013

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. 13-015 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF CITY CONTRACT 13036PW – 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/Michael A. Brown, Sr.  
/s/Nnamdi O. Chukwuocha  
/s/Robert A. Williams

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

**TREASURER'S REPORT**

The following Treasurer's Report dated June 6, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON June 6, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 9,266.22
105	Police Pension Account	M & T Bank	\$ 2,398.28
106	Fire Pension Account	M & T Bank	\$ 1,398.74
107	Evidence/Found Currency Account	M & T Bank	\$ 213,550.80
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 3,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 105,222.57
117	Cement Workers	Wilmington Savings Fund	\$ 33,343.46
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,078.42
130	Payroll	M & T Bank	\$ 174,599.49
131	Pension Payroll Account	M & T Bank	\$ 48,278.84
139	Pension Healthcare Account	M & T Bank	\$ <u>42,451.41</u>
	Total Cash on Hand		\$ <b>655,343.47</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	06/06/13	0.25%	\$ 57.60	\$ 8,409,283.00
116	General	WSFS	CD	06/10/13	0.30%	\$ 1,084.93	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	06/14/13	0.25%	\$ 5,580.07	\$ 14,292,802.00
116	General	WSFS	CD	06/14/13	0.30%	\$ 920.54	\$ 2,000,000.00
116	General	WSFS	CD	06/28/13	0.30%	\$ 1,035.61	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	06/28/13	0.25%	\$ 101.99	\$ 425,426.80
106	Fire Pension	WSFS	CD	06/28/13	0.30%	\$ 692.42	\$ 2,905,000.00
124	Non-Uniform 1990	WSFS	CD	06/28/13	0.30%	\$ 1,210.85	\$ 5,080,000.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 2,958.90	\$ 10,000,000.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 591.78	\$ 2,000,000.00
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
116	General	WSFS	CD	07/12/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,008,168.00
104	Escrow Pension	Vanguard					\$ 18,340,100.00
104	Escrow Pension	Black Rock					\$ 52,504,966.00
104	Escrow Pension	Edgar Lomax					\$ 26,942,130.00
104	Escrow Pension	Wilmington Trust					\$ 31,026,119.00
104	Escrow Pension	Manning & Napier					\$ 23,930,712.00
104	Escrow Pension	Earnest Partners					\$ 12,006,904.00
104	Escrow Pension	GMO					\$ 10,708,350.00
139	Medical Escrow	Merrill Lynch					\$ 9,848,519.00
116	The Hartford	Deferred Comp.					\$ 33,340,089.00
	Total Investments						\$ 301,710,466.84
	Total Cash on Hand						\$ 655,343.47
	Grand Total						\$ 302,365,810.31

<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/Mr. Williams, seconded by Ms. Walsh, the following non-legislative resolutions were accepted into the record and motion prevailed:

D. Brown	Congratulate The 2013 Achievers Participants
Cabrera	Welcome the Latin Fusion Restaurant to Wilmington
Cabrera	Sympathy Mary Alice Bradley
Congo	Commend Quinton Massey
Gregory	Sympathy John "Buddy" Gray
Gregory	Sympathy Ralph Irving Cooke, III
Gregory	Hydge Herbert Purnell Green, Inc., 10 <sup>th</sup> Anniversary
Gregory/Brown/Cabrera	Clinton Tymes Retirement
Shabazz	Recognize the Harriett Tubman Day Committee
Shabazz	Sympathy Mrs. Gwendolyn Shorts

**LEGISLATIVE BUSINESS**

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you, sir.

President Gregory: Councilman Congo.

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

Mr. Congo presented Resolution 13-036 as follows:

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

**WHEREAS**, the City has been approved by the Department of Labor Division of Employment and Training of the State of Delaware to receive approximately \$257,596.00 in grant funds for the operation and cost of the Summer Youth Employment Program (the "Youth Program"), which is scheduled to run from June 17, 2013 through August 23, 2013 (see attached award letter dated May 13, 2013); and

**WHEREAS**, although the City is not required to provide matching funds for receipt of these grant funds, the City is initially required to pay the Youth Program employees with City funds and is then reimbursed by the State of Delaware for the payments. Importantly, there will be no net financial impact on the City, provided the City complies with all State requirements applicable to the Youth Program; and

**WHEREAS**, for timing purposes, the application for said grant had to be submitted in advance of City Council approval by resolution; and

**WHEREAS**, the City, through the Mayor or his designee, the Director of Parks and Recreation, may enter into Contract 5-553-SY – Summer Youth Employment Program (the “Contract”) – to use the grant money to pay the wages of youth employed by the City as part of the Youth Program; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described grant funds received from the State of Delaware for the Summer Youth Employment Program be accepted and approved, and the Mayor or his designee, the Director of Parks and Recreation, and the City Clerk are hereby authorized and directed to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Congo: Mr. President, I move this Resolution be received, recorded, filed and adopted by Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It’s been properly moved and seconded the Resolution be received, recorded, filed and adopted by Yea and Nay Vote. On the question.

Mr. Congo: Yes Mr. President. As it was just read to us this is just a requirement that we approve this grant, if we do so, so that we can receive some youth funds for Summer Youth Employment Program.

President Gregory: Councilwoman Shabazz.

Ms. Shabazz: Yes Mr. President. Do you know exactly how many more jobs this will provide for us?

Mr. Congo: Two hundred and nineteen.

Ms. Shabazz: Okay. Thank you Mr. President.

President Gregory: Councilman Brown.

Mr. M. Brown: With the total of two hundred and nineteen, what’s the grand total? What’s the full amount?

Mr. Congo: In some of the information that I was given, I think the City is putting an additional \$100,000 in but I was also told that that number is being tweaked. So, I don’t want to give an exact number right now.

Mr. M. Brown: Okay. Follow-up.

President Gregory: Go ahead.

Mr. M. Brown: Well, I'll just wait. I'll wait until we get the full amount of number of kids because I would hate for us to drop down from where we used to be. We used to have over 550 I believe on under the few years. So, I sure hope if we need to do something, we as Council, that we come and do what we need to do to make sure that we go back to that same number or even greater.

President Gregory: Mr. Prado.

Mr. Prado: Yeah, just a couple of questions. I'm supporting this but this - for the Summer Youth Program are the kids working for the City of Wilmington or are they working for organizations in the City and City of Wilmington is administering it? Is that how it works?

President Gregory: I think the answer is both but - - both, both.

Mr. Prado: Cause I would just hope that - - you know, we have a lot of streets that need to be cleaned up and we talked about doing alleyways and you know, if we had these young people and we had the labor and we're paying them, I hope that's something that we can consider doing with these young people this Summer. Put them to good use.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Congo, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, 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. Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. Nothing tonight.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-014 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CITY CONTRACT 13020WD – WATER DISTRIBUTION  
SYSTEM MAINTENANCE – WITH BRANDYWINE  
CONSTRUCTION CO., INC.

Ms. Shabazz: Mr. President, I move that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and call for the Yea and Nay vote. On the question.

Ms. Shabazz: Yes Mr. President. This Ordinance authorizes us to approve the extension, the one year extension with a possible second year extension of this contract with Brandywine Construction Company and there is no additional cost in the extension contractual part of it. This contract was heavily vented in the Public Works Committee asking questions of their compliance to the DBE statute as well as their apprenticeship program and how many local residents that they've hired on this contract and those answers was distributed to Council Members on the Committee and I didn't get any response back. So, I guess there's no other question that anyone might have about the contract that I'm willing to respond to.

President Gregory: Clerk will call the roll.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-015 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CITY CONTRACT 13036PW – SEWER CONSTRUCTION  
WITH BRANDYWINE CONSTRUCTION CO., INC.

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

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CITY CONTRACT 13036PW – SEWER CONSTRUCTION  
WITH BRANDYWINE CONSTRUCTION CO., INC.

Ms. Shabazz: Mr. President, I move that be known as the Enacting Clause of the Substitute Ordinance and call for a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Substitute Ordinance and call for a Yea and Nay Vote. On the question.

Ms. Shabazz: Yes Mr. President, as the previous Ordinance that was for the Water Distribution System Maintenance and this one is for the Sewer Construction contract here with the City. Again, it is authorizing the approval of a one year extension with an additional one year if the Administration chooses to do so. Again, this contract also was heavily vented in the Public Works Committee and response to everyone's questions was emailed and so I'm open any comments if there are any.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Ms. Walsh, the aforementioned Ordinance, as **Substituted**, 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, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Mr. President, I have another Ordinance to read for first and second reading.

Ms. Shabazz presented and called for the first and second reading  
Ordinance No. 13-016 entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING  
REGULATIONS

Ms. Shabazz: Mr. President, I move that be known as the first and second reading and have it forwarded to the Public Works Committee.

President Gregory: Thank you.

Ms. Shabazz: I have more Ordinance for the first and second reading Mr. President.

Mrs. Seijo: I'm sorry was there a second for that.

Ms. Shabazz: I'm sorry.

Mr. Williams/Ms. Walsh: Second.

Mrs. Seijo: Thank you.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-017 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14006PW –  
JANITORIAL SERVICES AT THE MUNICIPAL COMPLEX –  
WITH TONY'S JANITORIAL SERVICE

Ms. Shabazz: Mr. President, I move that be known as the first and second reading of this Ordinance and have it referred to the Public Works Committee.

Mr. Freel/Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the first and second reading of the Ordinance and referred to the, you said, Public Works?

Ms. Shabazz: Yes sir.

President Gregory: Public Works Committee.

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

Ms. Shabazz: That's all for tonight Mr. President. Thank you.

President Gregory: Thank you. Mr. Prado.

Mr. Prado: Thank you Mr. President. I have an Ordinance to present and call for the first and second reading.

Mr. Prado presented and called for the first and second reading Ordinance No. 13-018 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14001LI –  
VACANT PROPERTY SERVICES – WITH R & A  
CONTRACTORS, LLC

Mr. Prado: Mr. President, I move that be known as the first and second reading of Ordinance and referred to the Housing Committee.

Ms. Walsh/Mr. Freel: Second.

President Gregory: It's been properly moved and seconded that be known as the first and second reading of Ordinance and referred to the Housing Committee.

This Ordinance was given two separate readings by title only and upon a motion of Mr. Prado, seconded by Ms. Walsh/Mr. Freel, was received, recorded, and referred to the Housing, Licenses & Inspection Committee. Motion prevailed.

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

Mr. Prado presented Resolution No. 13-037 as follows:

**WHEREAS**, Siobain VI, LLC ("Siobain"), an affiliate of M&T Bank, is the owner of the real property located at 1000 Eastlawn Avenue, Wilmington, Delaware, being Tax Parcel No. 26-023.40-045 (the "Property"); and

**WHEREAS**, Note 6 on the Record Minor Subdivision Plan of Riverview Terrace at Fox Point prepared by Franco Bellafante Associates, which is recorded with the New Castle County Recorder of Deeds Office as Instrument No. 199505102021326 and Microfilm No. 12413, requires that the Property be used as an on-site stormwater management facility; and

**WHEREAS**, Siobain has expressed an interest in donating the Property to the City of Wilmington; and

**WHEREAS**, the City of Wilmington is willing to accept a donation of the Property from Siobain; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council, acting pursuant to 1 Wilm. C. (Charter) §8-204, hereby approves the acceptance of the Property by the City of Wilmington from its current owner, Siobain VI, LLC, and authorizes the Department of Real Estate and Housing to take all actions necessary, including the payment of any recording fees, to finalize the transfer of the Property to the City of Wilmington.

Mr. Prado: I move this Resolution be received, recorded, and filed and adopted by Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as that the Resolution be received, recorded and filed and adopted by Yea and Nay Vote. On the question.

Mr. Prado: Yes Mr. President, this is – this land in question on Eastlawn Avenue is going to be used by hopefully by the City for stormwater management.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Prado, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members 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.

Mr. Prado: Nothing further Mr. President.

President Gregory: Ms. Dorsey Walker.

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

Ms. Dorsey Walker presented and called for the first and second reading Ordinance No. 13-019 entitled:

AN ORDINANCE TO AUTHORIZE AN ACCESS CHANNEL  
SERVICE AND SUPPORT AGREEMENT WITH TELVUE  
CORPORATION

Ms. Dorsey Walker: Mr. President, I move that be known as the first and second reading of the Ordinance and referred to the Telecommunications Committee.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the first and second reading of the Ordinance and refer it to the Telecommunication Committee. Ms. Dorsey Walker.

This Ordinance was given two separate readings by title only and upon a motion of Ms. Dorsey Walker, seconded by Ms. Walsh, was received, recorded, and referred to the Telecommunications Commission. Motion prevailed.\*

\*Note: Although the aforementioned Ordinance was referred to Telecommunications Commission, it was later noted that this piece should have been referred to the Finance Committee.

President Gregory: Ms. Dorsey Walker.

Mr. Dorsey Walker: Mr. President, I have a Resolution to present.

Ms. Dorsey Walker presented Resolution No. 13-038 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington ("City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the property owner, the Department of Real Estate and Housing of the City has determined that the City no longer needs the property located at 1103 Oak Street, Wilmington, Delaware ("Property"), and has therefore offered to transfer the Property to Interfaith Community Housing of Delaware ("Interfaith"); and

**WHEREAS**, the Property, also known as Parcel Number 26-042.30-051, shall be rehabilitated and sold to a homeowner to be used as a primary residence; and

**WHEREAS**, the Council of the City of Wilmington ("Council"), upon the recommendation of the Department of Real Estate and Housing of the City, hereby authorizes the City to dispose of the Property to Interfaith.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Council authorizes and approves the disposition of 1103 Oak Street, Parcel Number 26-042.30-051 from the City of Wilmington to Interfaith Community Housing of Delaware.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the purchase of the Property, including any and all further undertakings and assurances that may be appropriate.

Ms. Dorsey Walker: I move this Resolution be received, recorded, filed and adopted by a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded, and filed and adopted by Yea and Nay Vote. On the question.

Ms. Dorsey Walker: Mr. President, the property at 1103 Oak Street has been vacant for quite some time and as it was discussed yesterday in the Real Estate and Housing and Licenses & Inspection Committee meeting, Interfaith Housing will be - - well will be purchasing the property and looking to stabilize the Hedgeville community.

President Gregory: Did you - - you have com- -

Mr. M. Brown: Not on this Mr. President. I just want to make a correction from the last one.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I just wanted to note that I am employed by Interfaith Community Housing. So, I wouldn't be voting on this.

President Gregory: Thank you.

Mr. Chukwuocha: Thank you sir.

President Gregory: Mr. Prado.

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

President Gregory: Thank you. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, it notes that it's going to be - - is this freely disposed to Interfaith or is there a purchase price? I heard the word disposition and I also heard purchase and I don't see a purchase price.

Ms. Dorsey Walker: Actually there was a purchase price.

President Gregory: You said it was a purchase price. You saying the Resolution doesn't say it but that's yet to be negotiated or has been negotiated.

Ms. Dorsey Walker: I believe it's been negotiated by the Department of Real Estate and Housing but I don't have the dollars in front of me. I apologize for that.

President Gregory: Clerk will call the roll.

Mr. M. Brown: I'm not clear. So, I'm going to vote - - I'll go ahead and say yes because we might have to come back to this because we did not have the answers to those questions, so. I'm going to vote yes.

Mrs. Seijo: Thank you.

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

President Gregory: Declare it adopted.

Ms. Walsh: Mr. President.

Mr. M. Brown: Mr. President.

President Gregory: Just a minute. Point of order.

Ms. Walsh: Yes it is. In this is actually to the prior one.

Mr. M. Brown: Right.

Ms. Walsh: In the committee it was put in. It actually I believe should be put in the Finance Committee - - the Access Channel Service.

Mr. M. Brown: #3828.

Ms. Walsh: Yes.

President Gregory: Because the Telecommunication is a Commission, not a committee of Council.

Ms. Walsh: Right.

Mr. Freel: I believe it's already been posted on the agenda for Monday's meeting.

President Gregory: For Finance?

Mr. Freel: For Finance.

President Gregory: I agree. We're going to change that to the Finance Committee.

Mrs. Seijo: So noted.

President Gregory: The Telecommunication Commission is combined executive branch and legislative branch consistent of nine and that's not a committee for purposes of bedding these things. It's not the mission. Okay? Mr. Williams.

Mr. Williams: Mr. President, I have a Resolution to present.

Mr. Williams presented Resolution No. 13-039 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §8-205, a department, board or commission of the City shall not sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate without advertised public notice appearing in at least one daily newspaper of citywide distribution and authority by general ordinance and later resolution from Council so to do; and

**WHEREAS**, Wilm. C. §2-626 provides that the Council shall by resolution authorize the Department of Public Works to enter into easements across City-owned land for the construction, installation, maintenance, repair, operation and inspection of utilities, including but not limited to gas and electric service, and water and sewer service; and

**WHEREAS**, the City owns the real property located at 0 W. 7<sup>th</sup> Street, being Tax Parcel No. 26-019.10-007 (the "Property"); and

**WHEREAS**, the owners of the Squirrel Run Group 1 Townhomes, which consist of Tax Parcel Nos. 26-019.30-257, 26-019.30-258, 26-019.30-259, 26-019.30-260, 26-019.30-261, and 26-019.30-262 (collectively, the "Townhouse Properties"), have requested an easement across a portion of the Property in order to install a water line lateral that will provide water service to the Townhouse Properties and resolve water leakage issues in the parking lot of the Squirrel Run Condominiums.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby authorizes the granting and placement of an easement on a portion of the Property for the benefit of the Townhouse Properties for the purpose of constructing, installing, operating, maintaining, repairing, replacing, relocating, and removing a water line lateral serving the Townhouse Properties.

**BE IT FURTHER RESOLVED** that Council authorizes the Commissioner of Public Works to execute any and all documents necessary to effectuate the granting and placement of the water lateral easement on the Property, including any and all undertakings and assurances heretofore.

Mr. Williams: Mr. President, I move this Resolution be received, recorded, filed and adopted by a Yea and Nay Vote.

Ms. Walsh/Mr. Freel: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded, and filed and adopted by a Yea and Nay Vote. On the question.

Mr. Williams: Mr. President, this is going to take care of a long standing problem that's been going on up in this neighborhood of Squirrel Run. Back when the townhomes were constructed there was some faulty piping that was utilized and it caused a major riff between the neighbors. This will circumvent that faulty pipe; give access to the lower townhomes, and thereby eliminating this major catastrophe that's been going on for many years. There's no City money involved in this. This is something that came through State Representative Helene Keeley and I ask for your support.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Williams, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members 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. Mr. Michael Brown.

Mr. M. Brown: Nothing tonight. Thank you, sir.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing tonight.

President Gregory: Ms. Walsh.

Ms. Walsh: Yes. Are you just like skipping Council Member Freel all night tonight or what?

Mr. Freel: That's all right.

President Gregory: He's not on here.

Mr. Freel: I don't have anything anyway.

President Gregory: I'm sorry but he's - - he got left off the script. Mr. Freel.

Mr. Freel: That's all right. I'm easy to miss. I don't have anything tonight. Thank you.

President Gregory: We go over these things but we missed that.

Mrs. Seijo: Sorry Mr. Freel.

Mr. Freel: That's all right.

President Gregory: These things happen.

Ms. Walsh: I have a Resolution Mr. President.

Ms. Walsh presented Resolution No. 13-040 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §8-203, whenever any personal property of the City shall no longer be of service to the City or to the office, department, board or commission of the City or any other governmental agency in whose possession it is, it shall be the duty of the officer, department, board, commission or agency to turn such property over to the Procurement and Records Division for disposition; and

**WHEREAS**, the City of Wilmington Historic Preservation Planner states that the Art Deco ceramic tiles (the "Tiles") removed from the real property, known as the former Delaware Olds site at 4001 Governor Printz Boulevard, prior to selling the building to Banc One Building Corporation, have deteriorated and are in need of restoration, preservation and relocation; and

**WHEREAS**, on September 22, 2003 by way of Resolution 03-073 the tiles were declared surplus and approved for disposition to New Castle County however no project for use was identified and an agreement of sale was not executed; and

**WHEREAS**, the Delaware Department of Transportation ("DelDOT") has proposed to assume ownership, restore, preserve and relocate the ceramic tiles at their new Mid-County DMV facility at Wrangle Hill; and

**WHEREAS**, in accordance with the recommendation of the City of Wilmington's Director of Planning and Urban Design and the New Castle County's Historic Review Board, the City desires that the Tiles be declared surplus, approved for disposition and transferred to DelDOT.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby declares as surplus and authorizes and approves the disposition of the Tiles by transfer to the State of Delaware Department of Transportation.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the transfer of the Tiles including any and all undertakings and assurances heretofore.

Ms. Walsh: Mr. President, I move that be known as the reading of that Resolution and that it be received, recorded, and filed and adopted by a Yea and Nay Vote, please.

Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded, filed and adopted by a Yea and Nay Vote. On the question.

Ms. Walsh: Mr. President, these are art deco ceramic tiles that used to be at a car dealership on Governor Printz. I think it was Delaware Olds and they were retained, which is kind of impossible and it was fabulous that they were. We've been requested these tiles by the State of Delaware for a new motor vehicle that they're putting together and which will fit in very well and it will make it like a bow arts building too. But, all the tiles have something about the auto industry on it also so how (inaudible) that it should be put on a building such as that. I think what's wonderful about this is this should be a lesson learned for us. European's do it all the time and not that we need to learn a lot from Europeans but I think when it comes to recycling things and reusing things that we can learn a whole lot of lessons from them. And, a building like that that would have been torn down, there wouldn't even been a second thought, everything would have been saved. Even in this day in age, the bricks would have been knocked off, the concrete off the bricks and the bricks reuse and this is a mind that we have to start getting in our society rather than just throwing everything in dumps. So, in this case, here it is, we're able to keep a little bit of history alive.

President Gregory: I think we've had the ceramic tiles stored for fifteen, eighteen, maybe twenty years, I remember being on Council when this discussion came up and the object was to save history and it's a valuable commodity and we just had them store it. So, this is a good use of them in my opinion.

Ms. Walsh: Well, if you recall, it was being torn down around the time you were looking for a place for PAL because that was one of the sites that was being consider.

President Gregory: That's right. That was one of the sites.

Ms. Walsh: I keep this trash in my head all the time.

President Gregory: A lot of history, a lot of history.

Ms. Walsh: Right, exactly.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Walsh, seconded by 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 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. Mr. Wright.

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

President Gregory: Okay, thank you. I know Mr. Freel has asked to be excused. So he's going to make an excuse. At this time we're going to go to petitions and communications.

### PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, community events and proposed community projects in their districts and encouraged their constituents to attend and participate. Council members congratulated all those students graduating. A heads up was given to residents regarding the storm warning alerts. Those residents with issues with flooding were encouraged to move vehicles to high ground and prepare themselves. Concerns were expressed of horrific smells in the Southbridge area. It was noted that there is a plan in place with Southbridge residents and that there is an 800 number they should be calling into so that the call can be on record and they can have documentation to take to the authority to address the various entities that are producing pollution in the neighborhoods. President Gregory was thanked for his leadership on Council during his first six months.

The Union Park Garden issue with the bushes was mentioned and neighbors were encouraged to pay attention to what's happening out there to find out who's taking the bushes. Happy Father's Day and Happy Birthday wishes were given. Visitors from Mount Pleasant High School (JROTC) who were sitting in the audience were recognized. A thank you note from a Youth in Government student was read and it was noted that all Council members should have gotten a thank you note from their person as well. It was noted that Council is a great group of people and that should be proud of themselves. Comments were made to clear the air and set the record straight around the two million dollar designation proposed in the capital budget for funding for economic development.

It was noted that Council Members should have gotten an email with respect to the upcoming meeting with the Christina School District. The email was summarizing a very intense report that came from the Office of Civil Rights and the response that Christina School District gave. Council Members were encouraged to read that particular email to get them prepared from a policy standpoint to address issues.

**ADJOURNMENT**

Upon a motion of Mr. D. Brown, seconded by Mr. Williams/Ms. Shabazz, Council adjourned at 7:48 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
June 20, 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, M. Brown, \*Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Absent, Council Member Freel. Total, one.

**MINUTES**

After reading a portion of the minutes of June 6, 201, upon a motion of Ms. Walsh, seconded by Mr. D. Brown/Mr. Williams, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Ms. Shabazz presented the following two-committee reports:

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

June 19, 2013

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. 13-016** entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING REGULATIONS

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

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Hanifa Shabazz  
/s/Michael A. Brown, Sr.  
/s/Nnamdi O. Chukwuocha  
/s/Samuel Prado  
/s/Roberta A. Williams  
/s/Theopalis K. Gregory, Ex Officio

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

<u>Public Works &amp; 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		

June 19, 2013

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. 13-017** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14006PW –  
 JANITORIAL SERVICES AT THE MUNICIPAL COMPLEX –  
 WITH TONY’S JANITORIAL SERVICE

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

Respectfully submitted, Members of  
 Public Works & Transportation Committee  
 /s/Hanifa Shabazz  
 /s/Michael A. Brown, Sr.  
 /s/Nnamdi O. Chukwuocha  
 /s/Samuel Prado  
 /s/Roberta A. Williams  
 /s/Theopalis K. Gregory, Ex Officio

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

President Gregory: Can we mark Ms. Cabrera present please? (\*Page 1)

Mrs. Seijo: So noted.

Ms. Walsh presented the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Samuel Prado	X		
Darius J. Brown			X
Maria D. Cabrera	X		
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		
Theopalis K. Gregory, Sr.	X		

June 19, 2013

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Housing, Licenses & Inspections Committee, to who was referred **Ordinance No. 13-018** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14001LI – VACANT  
PROPERTY SERVICES – WITH R & A CONTRACTORS, LLC

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

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Samuel Prado  
/s/Maria D. Cabrera  
/s/Nnamdi O. Chukwuocha  
/s/ Hanifa Shabazz  
/s/Sherry Dorsey Walker

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

Ms. Shabazz presented the following committee report:

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

DATE: June 10, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-019**  
entitled:

AN ORDINANCE TO AUTHORIZE AN ACCESS CHANNEL  
SERVICE AND SUPPORT AGREEMENT WITH TELVUE  
CORPORATION

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel  
 /s/Samuel Prado  
 /s/Hanifa Shabazz

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 June 20, 2013 was read into the  
 record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams,  
 the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON June 20, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 266.22
105	Police Pension Account	M & T Bank	\$ 2,398.28
106	Fire Pension Account	M & T Bank	\$ 1,398.74
107	Evidence/Found Currency Account	M & T Bank	\$ 209,778.83
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 3,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 77,519.10
117	Cement Workers	Wilmington Savings Fund	\$ 33,347.43
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,078.42
130	Payroll	M & T Bank	\$ 164,468.46
131	Pension Payroll Account	M & T Bank	\$ 9,003.56
139	Pension Healthcare Account	M & T Bank	\$ 21,099.26
	Total Cash on Hand		\$ 544,113.54

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	06/20/13	0.25%	\$ 52.30	\$ 6,646,282.00
116	General	WSFS	CD	06/28/13	0.30%	\$ 1,035.61	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	06/28/13	0.25%	\$ 101.99	\$ 425,426.80
106	Fire Pension	WSFS	CD	06/28/13	0.30%	\$ 692.42	\$ 2,905,000.00
124	Non-Uniform 1990	WSFS	CD	06/28/13	0.30%	\$ 1,210.85	\$ 5,080,000.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 2,958.90	\$ 10,000,000.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 591.78	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
514	Risk Management	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
515	Worker's Comp.	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
515	Worker's Comp.	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
116	General	WSFS	CD	07/12/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
116	General <sup>1</sup>	TD	CD	08/08/13	0.25%	\$ 5,384.28	\$ 14,292,802.00
104	Escrow Pension	Affinity Wealth					\$ 1,009,969.00
104	Escrow Pension	Vanguard					\$ 19,056,903.00
104	Escrow Pension	Black Rock					\$ 52,913,087.00
104	Escrow Pension	Edgar Lomax					\$ 28,156,004.00
104	Escrow Pension	Wilmington Trust					\$ 30,860,973.00
104	Escrow Pension	Manning & Napier					\$ 24,517,409.00
104	Escrow Pension	Earnest Partners					\$ 12,246,164.00
104	Escrow Pension	GMO					\$ 10,902,694.00
139	Medical Escrow	Merrill Lynch					\$ 9,919,143.00
116	The Hartford	Deferred Comp.					\$ 33,628,978.00
	Total Investments						\$ 302,252,732.84
	Total Cash on Hand						\$ 544,113.54
	Grand Total						\$ 302,796,846.38

<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 Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, the following non-legislative resolutions were accepted into the record and motion prevailed:

D. Brown	Recognize YMCA Youth in Government
Gregory	Retirement Clinton Tymes
Shabazz	Commend South Wilmington Planning Network
Wright	Congratulate Empowering Males to Build Opportunities for Developing Independence (EMBODI) LEADERSHIP ACADEMY Graduates

## LEGISLATIVE BUSINESS

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Sir. Thank you Sir.

President Gregory: Councilman Congo.

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

President Gregory: Councilman Darius Brown.

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

President Gregory: Councilwoman Shabazz.

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

Mrs. Seijo: Council President if I may?

President Gregory: Yes.

Mrs. Seijo: Councilman Samuel Prado just walked in. Can he be noted?

President Gregory: Yeah, yeah. If you would please.

Mrs. Seijo: Noted present Councilman Prado (\*Page 1). Thank you.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-020 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14007PW –  
HVAC PREVENTATIVE MAINTENANCE, GENERAL AND  
EMERGENCY SERVICE – WITH BRADLEY-SCIOCCHETTI, INC.

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

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-016 entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING  
REGULATIONS

Ms. Shabazz: Mr. President, I move that be known as the Enacting Clause of the Ordinance and called for a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and called for the Yea and Nay Vote. On the question.

Ms. Shabazz: Yes Mr. President. This Ordinance is to approve a parking space to be installed on the west side of North French Street for our, our Council President, with the large participation of all our Council Members on a regular basis, parking gets sometimes very, very tight and we want to ensure that our President has ability to come and handle the business of Council, with this parking space.

President Gregory: You said that kind of interesting. It's not to ensure that I have a space, it's to ensure that everyone has a space, to make sure we have a space on the side of the building. So by expanding it, that's what we've done.

Ms. Shabazz: Every, it's enough parking spaces for everyone.

President Gregory: I like, I like it that way better.

Ms. Shabazz: Yes, you're right.

President Gregory: Thank you very much. Clerk will call the roll.

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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Freel. Total, one.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-017 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14006PW –  
JANITORIAL SERVICES AT THE MUNICIPAL COMPLEX –  
WITH TONY'S JANITORIAL SERVICE

Ms. Shabazz: Mr. President, this Ordinance authorize a City contract for janitorial service at the Municipal Complex with Tony's Janitorial Service for a period of two years at a price not to exceed \$83,760 a year, with an annual cost of, excuse me, with an annual cost of \$41,888 a year, and a possible extension period for one year at the City's option at the same annual price. Shall I repeat that again, because I didn't . . .

President Gregory: We need you to move it.

Mrs. Seijo: Yes.

President Gregory: I move - - you have to move the Ordinance; you started speaking to it. Move that be known as . . .

Ms. Shabazz: Oh, forgive me. I move that be known as Enacting Clause of the Ordinance and call for a Yea and Nay Vote.

Ms. Walsh: Second.

Mrs. Seijo: Thank you.

President Gregory: On the question. Clerk will call the roll. You already spoke to it; you want to speak to it again?

Ms. Shabazz: No.

President Gregory: Does anyone else want to speak to it?

Mr. D. Brown: You called for the roll.

President Gregory: Clerk will call the roll.

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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Freel. Total, one.

President Gregory: Declare it adopted.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-021 entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/  
PARKING REGULATIONS

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

Ms. Shabazz: Mr. President, I have two more Resolutions to present.

Ms. Shabazz presented Resolution No. 13-041 as follows:

**WHEREAS**, §3-802 of the City of Wilmington Home Rule Charter provides that the Wilmington Parking Authority shall continue to be governed by the provisions of Title 22, Delaware Code, Chapter 5, until otherwise changed by law; and

**WHEREAS**, 22 Del. C. §507 (also appearing as §2-202 of the Related Laws of the Wilmington City Code) provides inter alia that the Mayor of the City of Wilmington shall appoint, for staggered terms of five (5) years each, the five (5) members of the Wilmington Parking Authority, subject to confirmation by Wilmington City Council; and

**WHEREAS**, by a letter dated May 23, 2013, Mayor Dennis P. Williams has advised City Council President Theopalis Gregory that he wishes to reappoint Jereline H. Coleman (whose term expires June 30, 2013), to the Board of Directors of the Wilmington Parking Authority to serve as a member of the said Board for a term to expire on June 30, 2018; and

**WHEREAS**, Wilmington City Council approves of said reappointment and wishes to confirm the same.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON**, that Wilmington City Council hereby approves and confirms the reappointment by Mayor Dennis P. Williams of Jereline H. Coleman to the Board of Directors of the Wilmington Parking Authority for a term ending June 30, 2018.

Ms. Shabazz: Mr. President, I move this Resolution be received, recorded, filed and adopted by Yea and Nay Vote:

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay Vote. On the question.

Ms. Shabazz: Mr. President, this Resolution is being presented by the Administration for Council's review and approval. This would authorize the re-appointment of Ms. Jereline Coleman to be seated on the Board of Directors of the Wilmington Parking Authority for a term of five (5) years, which expires on June 30, 2018. She did, this was presented at a Public Transportation Committee and it was voted out for consideration.

President Gregory: She was kind enough to come in and meet with us so that we could chat with her and give us her resume and I want to thank her for that. Clerk will call the roll.

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

President Gregory: Declare it adopted.

Ms. Shabazz: Mr. President, my final Resolution to present.

Ms. Shabazz presented Resolution No. 13-042 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending Section 2-363 of the Wilmington City Code ("Code"), Wilmington City Council ("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 when necessary, prior to Council's resolution; and

**WHEREAS**, the City, through the Department of Public Works, in October 2011 applied for and was awarded grant match funding from the Delaware Department of Natural Resources and Environmental Control (DNREC) in the amount of \$49,600.00 to update the City's hydraulic model for its wastewater collection system; and

**WHEREAS**, the Long Term Control Plan Hydraulic Model Updates is an ongoing project, the first stage of performance is nearing completion and the Department of Public Works has performed over \$100,000 of work; and

**WHEREAS**, due to an administrative oversight, a payment request for the grant match funds from DNREC has not been made to date; and

**WHEREAS**, since over a year has passed since the grant match funds were awarded, the Department of Public Works and DNREC find it most appropriate to seek Council approval by way of resolution prior to requesting such reimbursement; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Department of Public Works to request and accept the aforesaid match grant funding from DNREC.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Public Works is hereby authorized to accept the DNREC grant funds in the amount of \$49,600.00.

Ms. Shabazz: Mr. President, I move this Resolution be received, recorded, filed and adopted by a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded the Resolution be received, recorded and filed and adopted by Yea and Nay Vote. On the question.

Ms. Shabazz: Mr. President, this Resolution is being presented by the Administration for Council's review and approval. It's a Resolution to authorize the Department of Public Works accept a \$49,600 grant from the Delaware Department of Natural Resources and Environmental Control to update the City's hydraulic model for its wastewater collection system.

President Gregory: Clerk...Mr. Brown.

Mr. M. Brown: Thank you Mr. President. I, I just want to go on record again today because he wasn't there at the hearing, committee meeting, the Chief of Staff. This grant was, is late getting to us and normal, and they've already started drawing down from it, and normally we get the grants, we as Council, and we vet the

grant first and then we vote and go ahead and give them the okay. This happened last year, I think it was, am I right? Last April, sometime, but either, either way, we discussed this yesterday and I just want it for the record that the Chief of Staff is in here now, that, as the President said yesterday, it's, you know, we, we, we, it's a new Council and so, being that it's a new Council, I opened the, I spoke for Mike Brown yesterday, Mike Brown only, and said we, I, I, Councilman Brown will, will give you this one, but any other time that, that, that, that's, that grant's coming through, and I'm only saying this cause someone on here may be here and don't know it, that, that grants usually come to us and vetted before they start doing anything, the Administration or that particular department start doing anything with it, so, so I, I'm voting for it but I just wanted to make that clear - - that the Chief of Staff know that. Thank you.

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

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

President Gregory: Declare it adopted.

Ms. Shabazz: That's all for tonight Mr. President. Thank you.

President Gregory: Mr. Prado.

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

Mr. Prado presented and called for the third and final reading Ordinance No. 13-018 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14001LI –  
VACANT PROPERTY SERVICES – WITH R & A  
CONTRACTORS, LLC

Mr. Prado: Mr. President, I move this be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote. On the question.

Mr. Prado: Yes, this is an Ordinance that was requested by the, by Licenses and Inspection. This company does the vacant property services for the City, such as boarding up and securing the properties. It is a DBE and the owner lives in the city and the company is located in the City of Wilmington.

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

Upon a motion of Mr. Prado, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Freel. Total, one.

President Gregory: Declare it adopted.

Mr. Prado: Nothing further Mr. President.

President Gregory: Councilwoman Dorsey Walker.

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

Ms. Dorsey Walker presented and called for the third and final reading Ordinance No. 13-019 entitled:

AN ORDINANCE TO AUTHORIZE AN ACCESS CHANNEL  
SERVICE AND SUPPORT AGREEMENT WITH TELVUE  
CORPORATION

Ms. Dorsey Walker: Mr. President, I move that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote.

President Gregory: It's been properly moved - -

Ms. Walsh/Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote. On the question.

Ms. Dorsey Walker: Mr. President, the City currently has a contract with Telvue that will be expiring on June 30th of this year, and what we'd like to do is renew a two-year contract with them in the amount of \$3000 - - \$1500 per year. This company provides WITN with the technical ability to broadcast message board information such as

community and neighborhood news, Council Member information, City services and local weather when WITN is not airing locally programmed, excuse me, locally produced programs.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. I believe at the committee meeting it was explained to us that Telvue is the singular company that provides this service, and so as far as us looking at having other contracts in the future, this is the, the singular company that provides this service. In addition to that, I do understand that Telvue does not do our actual programming, so I, I would be interested in, as we have future conversations on understanding where some of our dead time, who, where those proceeds are going, whether they're coming to us as a City or to Telvue when we have like generic commercials from telemarketers and things of that sort.

President Gregory: I take it you're not asking for a comment or an answer today, that's something for the future.

Mr. D. Brown: Correct.

President Gregory: If I heard you correctly.

Mr. D. Brown: Yep.

President Gregory: Clerk will call the roll.

Upon a motion of Ms. Dorsey Walker, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Freel. Total, one.

President Gregory: Declare it adopted. Mr. Williams.

Mr. Williams: Mr. President, I have a Resolution to present.

Mr. Williams presented Resolution No. 13-043 as follows:

**WHEREAS**, the Stockley Center ("Stockley") is an existing structure owned by the State of Delaware located on a 750 acre tract of land in Sussex County, Delaware; and

**WHEREAS**, the State of Delaware currently operates only one alcohol and drug assessment, evaluation and detoxification facility in the state; and

**WHEREAS**, the conversion of Stockley into a drug and alcohol treatment and rehabilitation center to be operated by our State Department of Health and Social Services is an effort greatly needed to better serve the citizens of our state affected by substance abuse issues; and

**WHEREAS**, state workers trained in alcohol and drug treatment and prevention would provide direct oversight and administration to maximize success of the program; and

**WHEREAS**, the organization, staffing and operation shall be developed with the involvement of all private and public resources having specific knowledge and expertise in drug and alcohol treatment in order to enhance the likelihood that each citizen served will return to our communities and to their families to live a happier, healthier and more productive life; and

**WHEREAS**, state operated facilities of this kind should exist in all three counties of the state and include community network programs for the prevention and intervention of addictions as well as programs to address related and contributing issues such as smoking, alcohol, obesity, and other health/wellness issues; and

**WHEREAS**, community-based treatment and rehabilitation centers for non-violent drug offenders are in demand; and

**WHEREAS**, research has proven that court-ordered treatment and rehabilitation programs more effectively reduce criminal activity and are less costly when compared to incarceration given the recidivism rates of substance abusers; and

**WHEREAS**, such treatment and rehabilitation programs have not been implemented in Delaware despite the aforementioned findings.

**NOW, THEREFORE BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON**, that Council urges our State Legislature and our Governor to hold public hearings throughout the state to discuss and understand the need and citizen support for drug and alcohol treatment and rehabilitation facilities throughout our state.

**BE IT FURTHER RESOLVED** that Council urges that the Stockley Center's vacant facilities be converted into a treatment and rehabilitation facility to service citizens in our state affected by substance abuse issues. The program should be administered by our State Department of Health and Social Services and operated by properly qualified professional state employees.

Mr. Williams: Mr. President, I move this Resolution be received, recorded, filed and adopted by Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded, filed and adopted by Yea and Nay Vote. On the question.

Mr. Williams: Mr. President, this is a Resolution that's encouraging the State of Delaware, specifically the Delaware Health and Social Services Agency to, to

review this tract of land that's down in Sussex County. It currently deals with individuals with developmental disabilities. It has the capability of being converted over to a treatment facility that would take care of residents in the State of Delaware. Currently, they're only about seven beds that are available for detoxification and rehabilitation. Most of our work gets farmed out to other states. As an ER nurse and as a former law enforcement officer I've encountered hundreds of individuals that were seeking treatment and they played the bed lottery as to whether there would be availability; whether they could get help on the day that they chose that they were tired and ready to make a change in their life. So, I'm encouraging my colleagues to support this.

President Gregory: Is Stockley still serving the mentally challenged?

Mr. Williams: No, right now it's actually shut down. It's - they're thinking about converting it over to a parkland.

President Gregory: And they moved the Stockley facil-, services elsewhere?

Mr. Williams: Most of the facilities are now housed up at the old State Hospital, Herman Holloway Building.

President Gregory: Mr. Brown.

Mr. M. Brown: Yes, Mr. President, if, if Councilman Williams would allow me, I'd like to be a co-sponsor.

Mr. Williams: Absolutely.

Mrs. Seijo: So noted.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I would like to be a co-sponsor as well.

Mrs. Seijo: So noted.

President Gregory: Ms. Shabazz.

Ms. Walsh: Mr. President.

President Gregory: Yes, Ms. Walsh.

Ms. Walsh: I, I have a comment. I'd like to be co-sponsor, too, but I also have a comment.

Mrs. Seijo: So noted.

Ms. Walsh: The facility is closed, and this is part of the problem of what the State does to the City of Wilmington. Here are 750 acres in Sussex County, that the State owns, that the State should hold onto, not turn into parkland, there's certainly enough parkland in Sussex County. Instead, they dump these services on us up here in an urban area where all you have to do is walk a block to a liquor store, in most cases, or in many areas to be able to buy drugs, that if people are going to be able to heal and have some time to take care of their body and their souls and just their whole psyche, it has to be away from temptations, and the State really needs to get off the ball on this one because they're talking about closing the Holloway Center, too. So, that all work is going to be farmed out and, so if they close the Holloway Center and even if, I know people are probably going to drop down dead when I say this, but, even if they contracted that out to Connections, at least it's not dumped in the middle of a residential in an urban area. You know, it still has bus service, it has all that stuff, but, you know, these other two counties, these three counties, actually, because I'll throw New Castle into that, have to start sharing the pain. We're treating their people - they need to start sharing the pain and the state government needs to step up to the plate and stop dumping all this on us. So, that's all I have to say.

President Gregory: Thank you. Mr. Darius Brown.

Mr. D. Brown: Thank you, Mr. President. I'm going to support this piece of legislation because it is a Resolution tonight. There is some hesitancy that I have around the Resolution being that as a Council we're asking the State to do something in another county. We're asking and there's nothing that's been expressed on this floor that says that the Sussex County council or any of the cities within Sussex County or the city in which this center is located has had any communication with the State Legislature or our Governor's Office, and maybe there could be some information shared to that. Again, I will be supporting it but I'm hesitant because we're, because it's a Resolution I'm supporting it, but I'm hesitant because we're beginning to legislate another jurisdictional institution of government here in our state by, with the way this language is presented for this. Thank you.

President Gregory: Ms. Dorsey Walker

Ms. Dorsey Walker: Mr. President, I, too, would like to be a co-sponsor on the legislation.

Mrs. Seijo: So noted.

Ms. Shabazz: I wanted to be added as well.

Mrs. Seijo: So noted.

President Gregory: Yeah, I got you Ms. Shabazz. I'd already mentioned that you wanted to be a co-sponsor.

Ms. Shabazz: Thank you.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz for Mr. Freel.

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

On behalf of Mr. Freel, Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-022 entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1 TO FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013 AS AMENDED), THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

President Gregory: Mr. Brown, Michael.

Mr. M. Brown: Yes Mr. President, I have a Resolution and then I have an Ordinance to present.

Mr. M. Brown presented Resolution No. 13-044 as follows:

**WHEREAS**, the Wilmington Department of Police has identified a new location for the offsite DOCV office and would like to lease such new location for a two year term with a two year renewal option exercisable by the Department at the rental rates set forth on Exhibit "A" attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Department of Police is hereby authorized and directed to enter into a lease agreement for the offsite DOCV office for a two year term with a two year renewal option exercisable by the Department at the rental rates set forth on Exhibit "A" attached hereto, and the Chief of Police is hereby authorized and directed to execute as many copies of said lease agreement as may be necessary.

Mr. M. Brown: I move this Resolution be received, recorded, filed and adopted by a Yea and Nay Vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded the Resolution be received, recorded, filed and adopted by a Yea and Nay Vote. On the question.

Mr. M. Brown: Yes, Mr. President, this, this Resolution is a Resolution to give permission to our, our Organized Crime Unit, known as Vice, to relocate. Where they're presently located at now the, the contract, or the agreement, ends June 30th. And on the meeting the other day when we were talking about this, Mr. President, I made a, a, an, a, an error in stating something so I want to correct it. It, the, the building is owned by Catholic Charity and I, we, I, the Wilmington Police Department wish for me to extend a thank you for allowing them to be there, but they've outgrown it, number one. They've outgrown the, the area where they are located at now and number two is, everybody know that they're there, in terms of folks that they've already encountered, folks that they, have, have encountered have seen them, I've told, been told passing by, slowing down, so it's really putting them in, in a much grave danger by them just being in that location.

I thank God for them being there all this time and nothing has really happened to any of them being so much that they're out in the open as they are, but this location is an agreement where they're going to be moving to for two years with a two-years option, a two years with a two-year option, to, to, to move there, and, again, the lease that they're at now ends June 30th, and you may not have heard or you might have heard and you can read in a long line, the wonderful work that they've done over the, in the last few days, they've, they've round up ten major drug dealers, ten, with drugs, weapons and so on, and on a, in a early-morning stage of rage with the corporation of the FBI, State police, County police and a whole lot of other agencies, they rounded up ten major drug dealers, and, and it's very important that we be supportive of them for, again, things are changing and people are, are eating these hero pills or this cabbage that makes them think that they're invincible to take on some of our police officers and we just don't want that to happen. So, I'm asking for their support tonight.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. I think this makes perfectly good sense, that to keep our officers out of the limelight, especially the ones that are going undercover and doing some of the more difficult police work that's out there. I, I know that we have that two-year option; I would favor that we move every two years to keep this thing a secretive location and keep the safety of these officers in mind. That's all I have to say.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President, I do have an Ordinance for the first and second.

Mr. M. Brown presented and called for the first and second reading Ordinance No. 13-023 entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT  
14008PD – POLICE UNIFORM CLEANING – WITH  
BLUE SWAN, INC.

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

Mr. Wright: It's in proper motion?

Ms. Walsh: Mr. President.

President Gregory: Hold up. I'm listening.

Ms. Walsh: I guess I just have a slight point of order too.

President Gregory: Mr. Brown, would you move the Ordinance?

Ms. Walsh: Properly.

President Gregory: Properly.

Mr. M. Brown: Mr. President, I make a move, I make a motion this Ordinance be properly moved and seconded and moved over to the - - where I'm at?

Ms. Walsh: Received, recorded and filed.

Mr. M. Brown: Yeah, received, recorded, and filed and adopted by Yea and Nay Vote.

Mr. Wright: That's wrong.

Ms. Walsh: Assigned to the....

Mr. M. Brown: Assigned to the Finance Committee.

Mr. Williams: Second.

Mr. Wright: Mr. President, that's still wrong.

President Gregory: Hold up, hold up. Mr. President, I move that be known as the first and second reading of the Ordinance and referred to the Finance Committee. Okay?

Mr. M. Brown: Finance Committee. Didn't I say that?

President Gregory: No.

Mr. M. Brown: Okay, I apologize. Thank you so much school teacher. I mean Ms. Councilwoman.

Ms. Walsh: No, you can call me school teacher. That's fine.

Mr. Williams: Second.

President Gregory: Second, okay. We going to move - - Ms. Cabrera.

Ms. Cabrera: Nothing tonight Sir.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation, thank you.

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight Mr. President, thank you.

## PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, community events and community projects in their districts. It was noted that a mother and grandmother turned in two (2) young men who have been accused of two different murders in our City and they were applauded for stepping up to the plate and leading their child and grandchild down the right path because the kids are answerable for what has happened. It was noted that these ladies should be an inspiration to others in many of our neighborhoods and that if you see something wrong there are ways to get that information out there. Members expressed their thanks to different departments and agencies for various events throughout the city and for doing a good job. Thank you were expressed for the work that was done at the Hicks Anderson's event, however, comments were made about what took place at the Helen Chambers Park (Hicks Anderson's event) and how disheartened it was on how the event was handled. It was noted that the residents on the Hilltop are upset about a request that's in place for a home to be opened on the 1300 block of 4<sup>th</sup> Street for sex offenders. That request is being researched and explored more. It was noted that energy saving opportunities have been awarded to South Wilmington and residents were encouraged to participate. A letter was requested to be sent to the U.S. Attorney's Office to invite them to come to the next Public Safety Committee meeting to discuss the Operation FED-UP Program. Also, an update on the proposed community court coming to the City will be discussed at the next Public Safety Committee meeting.

Mr. D. Brown presented the following communication:

June 20, 2013

The Honorable Robert I. Marshall  
Delaware Senate  
411 Legislative Avenue  
Dover, Delaware 19901

Dear State Senator Marshall:

I am writing this letter in full support of Senate Bill 132 in which you are the primary sponsor. Senate Bill 132 has a tri-fold impact on education, employment and sound communities for the State of Delaware.

When passed, Senate Bill 132 will lend support to supplement unfunded capital projects that improve Delaware's educational system and its infrastructure, and establish the Delaware Works Trust Fund. This Fund will be used to support a twenty-year bond sale in order to finance capital construction project and will not be used for any general operating expenses.

Further, it is my understanding the financial support will be generated by imposing a motor fuel tax. On behalf of the residents of the Third District I would like to thank you and State Representative Gerald Brady for sponsoring this Bill and for your vision.

I will have the City Clerk to enter this letter into record at the June 20, 2013 session of Wilmington City Council.

Many thanks,  
/s/Darius J. Brown  
Wilmington City Council, Third District

Cc: Members of Wilmington City Council

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the aforementioned communication was received, recorded, and filed. Motion prevailed.

It was noted that due to the schedule that Council has, with the General Assembly ending at the end of June, a Resolution was not able to be prepared, however, the above aforementioned letter will be sent to Senator Marshall as he presents this piece of legislation before the Delaware General Assembly.

Some information was provided regarding the proposed community court and the reason why the 3<sup>rd</sup> District was the proposed location. It is the hope to have additional information at the next Public Safety Committee meeting of how the community court is being developed and implemented. It was announced that neighborhood community centers are still enrolling students for summer camps. The new Public Works Commissioner, Cleon Cauley was welcomed to the City of Wilmington. It was duly mentioned that the Christina School District provided an update at the Education, Youth & Families Committee meeting on their progress and trying to improve their disciplinary policies. For those that weren't able to attend the meeting, residents were encouraged to watch the replay on [www.witn22.org](http://www.witn22.org). It was announced that the renovations at 24<sup>th</sup> & Tatnall Street Park will hopefully begin next month and be completed by August or early September. Students were encouraged to submit their scholarship requests. For additional information, students can contact the City Council's Office at 576-2140. It was announced that the Christina School District would be coming back again in August to give an update as they stated that by the end of August they will have a lot of the projected milestones met. Comments were made of the quick storm that came through the City and the havocs that the storm caused in certain districts. It was announced that there will be a Finance Committee meeting on Monday, June 24<sup>th</sup> and a special session of City Council meeting on June 27<sup>th</sup> with respect to Agenda No. 3837. It was also mentioned that a Press Release was sent out which explains what the body of Council unilaterally is trying to do. It was also noted that Council Members should have received an email outlining the process for selecting the TPO that's going to operate the public and lease access channel. Members were encouraged to read that information.

It was noted that Council has three in a half of years to represent the people in this City and it is the hope that everyone just gets along.

**ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. Williams, Council adjourned at 8:05 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
June 27, 2013*

Council met in **special** session on the above date at 6:00 p.m., President Pro Tempore Loretta Walsh 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, and Walsh. Total, eleven. Absent, Council Member Wright and Council President Gregory. Total, two.

President Pro Tempore Walsh: Committee Report.

Ms. Shabazz: Madame President Pro Tem.

President Pro Tempore Walsh: Yes Council Member.

\*Ms. Shabazz: For point of order, could we make the correction that we did not do a prayer but we did an invocation?

President Pro Tempore Walsh: Exactly. Thank you for pointing that out.

Ms. Shabazz: That's all. Thanks

Mrs. Seijo: So noted. Committee Report.

### **REPORT OF COMMITTEES**

<b>Finance Committee Member</b>	<b>Present</b>	<b>Absent with Leave</b>	<b>Absent w/out Leave</b>
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado	X		
Hanifa G.N. Shabazz	X		
Loretta Walsh	X		

June 24, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-022** entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1 TO FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013 AS AMENDED), THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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/Samuel Prado

/s/Hanifa Shabazz

/s/Loretta Walsh

Mr. Freel: I move that Committee Report be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. D. Brown/Mr. Williams: Second.

President Pro Tempore Walsh: It's been moved properly and seconded that the Committee Report be received, recorded, and filed. On the question. All those in favor signify by saying Aye, Opposed. Motion passed.

President Pro Tempore Walsh: This is a special session of the Wilmington City Council and we're going to be dispensing the regular order of business by call on each Member for legislation. We do have only one item on our agenda this evening, so we will go right to Mr. Freel.

**LEGISLATIVE BUSINESS**

Mr. Freel: Madame President, I have an Ordinance to present and call for the third and final reading.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-022 entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1 TO FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013 AS AMENDED, THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

Mr. Freel: I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1 TO FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013 AS AMENDED, THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

Mr. Freel: Madame President, I move that be known as the Enacting Clause of the Substitute Ordinance and call for a Yea and Nay Vote.

Ms. Shabazz/Mr. Prado: Second.

President Pro Tempore Walsh: It's been moved and properly seconded that be known as the Enacting Clause of the Substitute Ordinance and call for a Yea and Nay Vote. On the question.

Mr. Freel: Yes Madame President, this Ordinance does five (5). It adds \$18,000 to the Planning Department's and that's in E line; it adds \$80,000 to the Finance Department's MSE; it reduces debt service for Public Works by the amount of \$205,745; it reduces the transfer out of the Office of Economic Development Strategic Fund from \$142,000 to \$50,000 and it also corrects some typographical errors on the Fiscal Year '14 Position Allocation List.

President Pro Tempore Walsh: Anyone else? Council Member Williams.

Mr. Williams: Yes ma'am. Is that the only thing that this will do? I see deleting the \$300,000 from the Mayor's Contingency Fund. Is that no longer on the table?

President Pro Tempore Walsh: Exactly.

Mr. Williams: Okay, thank you.

Mr. Freel: That's correct.

President Pro Tempore Walsh: Anyone else? Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Shabazz/Mr. Prado, the above aforementioned Ordinance was read for the third and final time and was adopted by title 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, Freel, M. Brown, Cabrera, and Walsh. Total, eleven. Nays, none. Absent, Council Member Wright and Council President Gregory. Total, two.

President Pro Tempore Walsh: Declare it adopted. Anyone else? This is a special session as I said we will not have petitions and communications. So, do I have a motion to adjourn?

Mr. Freel: Motion to adjourn Madame President.

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

### ADJOURNMENT

Upon a motion of Mr. Freel, seconded by Mr. Williams/Ms. Shabazz/Mr. M. Brown, Council adjourned at 6:08 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
July 3, 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, D. Brown, Shabazz, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright, and Council President Gregory. Total, ten. Absent, Council Members Congo, Prado, and Walsh. Total, three.

President Gregory: Councilwoman Walsh, Councilman Prado and Councilman Congo called and indicated that they could not make it for various reasons.

### **MINUTES**

After reading a portion of the minutes of June 20, 2013 and June 27, 2013, upon a motion of Ms. Shabazz, seconded by Mr. Freel/Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

No committee reports presented this evening.

### **TREASURER'S REPORT**

The following Treasurer's Report dated July 3, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Shabazz, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON July 3, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 1,786.90
106	Fire Pension Account	M & T Bank	\$ 3,571.91
107	Evidence/Found Currency Account	M & T Bank	\$ 209,780.56
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 188,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 233,064.85
117	Cement Workers	Wilmington Savings Fund	\$ 33,347.43
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,247.66
130	Payroll	M & T Bank	\$ 170,766.66
131	Pension Payroll Account	M & T Bank	\$ 82,613.90
139	Pension Healthcare Account	M & T Bank	\$ <u>52,357.32</u>
	Total Cash on Hand		\$ <b>997,820.24</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	07/03/13	0.25%	\$ 49.04	\$ 7,159,788.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 2,958.90	\$ 10,000,000.00
110	Capital	WSFS	CD	07/09/13	0.30%	\$ 591.78	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
514	Risk Management	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
515	Worker's Comp.	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
515	Worker's Comp.	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
116	General	WSFS	CD	07/12/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
105	Police Pension	WSFS	CD	07/30/13	0.30%	\$ 312.99	\$ 1,190,000.00
124	Non-Uniform 1990	WSFS	CD	07/30/13	0.30%	\$ 1,237.48	\$ 4,705,000.00
106	Fire Pension	WSFS	CD	07/30/13	0.30%	\$ 795.62	\$ 3,025,000.00
110	Capital <sup>2</sup>	TD	CD	08/02/13	0.25%	\$ 57.67	\$ 240,528.79
116	General <sup>1</sup>	TD	CD	08/08/13	0.25%	\$ 5,384.28	\$ 14,292,802.00
104	Escrow Pension	Affinity Wealth					\$ 1,009,969.00
104	Escrow Pension	Vanguard					\$ 19,056,903.00
104	Escrow Pension	Black Rock					\$ 52,913,087.00
104	Escrow Pension	Edgar Lomax					\$ 28,156,004.00
104	Escrow Pension	Wilmington Trust					\$ 30,860,973.00
104	Escrow Pension	Manning & Napier					\$ 24,517,409.00
104	Escrow Pension	Earnest Partners					\$ 12,246,164.00
104	Escrow Pension	GMO					\$ 10,902,694.00
139	Medical Escrow	Merrill Lynch					\$ 9,919,143.00
116	The Hartford	Deferred Comp.					\$ 33,598,370.00
	Total Investments						\$ 301,485,732.83
	Total Cash on Hand						\$ <u>992,820.24</u>
	Grand Total						\$ 302,478,553.07

<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 Ms. Shabazz, seconded by Mr. Freel/Mr. M. Brown, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Farewell Rich Emge
D. Brown	Sympathy Bishop Thomas J. Weeks
M. Brown	Sympathy Shirley Mae Benn
Chukwuocha	Commend Maureen Hammond
Shabazz	Recognize Dance4Life School of the Arts and Training Institute
Williams	Recognize Bus Zebley Youth Baseball League

**LEGISLATIVE BUSINESS**

President Gregory: We're going to dispense with the rules of calling all names since we have one item on the agenda. We're going to go straight to Mr. Freel.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-024 entitled:

AN ORDINANCE TO IMPLEMENT THE WILMINGTON  
PENSION COMMISSION'S RECOMMENDATIONS  
PURSUANT TO CHAPTER 39 SECTION 6 OF THE  
WILMINGTON CITY CODE

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

Mr. Freel: That's all Sir, thank you.

President Gregory: I'm told we're dispensing with the petitions and communications tonight by consensus of the group and I'm told that Council Member Shabazz has a comment that she'd like to make.

Ms. Shabazz: Yes Mr. President. On behalf of all members of Council and all of Council staff and I'm quite sure many of the listening audience, we wanted to wish you a very Happy, Happy Birthday.

President Gregory: Ms. Shabazz can you tell them when my birthday is please?

Ms. Shabazz: It's today Sir.

President Gregory: July 3<sup>rd</sup>.

Ms. Shabazz: July 3<sup>rd</sup>.

President Gregory: Yeah, today.

Ms. Shabazz: Today. Yes Sir today is your birthday.

President Gregory: Because she said Happy Birthday, it didn't mean they knew it was today.

Ms. Shabazz: Okay, today a Happy Birthday.

President Gregory: Thank you. I appreciate that very much. I want to wish everyone a Happy 4<sup>th</sup> of July. We want everyone to be happy, blessed and safe this weekend and we'll see ya'll back next week for another meeting. Thank you all very much.

### ADJOURNMENT

Upon a motion of Mr. M. Brown/Ms. Shabazz, seconded by Mr. Williams, Council adjourned at 6:48 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
July 11, 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 Traci Owens.

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 July 3, 2013, upon a motion of Ms. Walsh, seconded by Mr. D. Brown, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Ms. Walsh presented the following committee report:

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

Date: 7/8/13

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. 13-020** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14007PW -  
HVAC PREVENTATIVE MAINTENANCE, GENERAL AND  
EMERGENCY SERVICE – WITH BRADLEY-SCIOCHETTI, INC.

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

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Nnamdi O. Chukwuocha  
/s/Samuel Prado  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Mr. Freel presented the following two-committee reports:

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

Date: 7/10/13

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-023** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 14008PD –  
POLICE UNIFORM CLEANING – WITH BLUE SWAN, INC.

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Theopalis K. Gregory, Sr., Ex Officio

Mr. Freel: Mr. President, can I be marked present first?

President Gregory: Please mark Mr. Freel and Mr. Wright present.

Mrs. Seijo: So noted.

**\*Note: At this time Mr. Freel and Mr. Wright were marked present.**

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

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

DATE: July 10, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-024**  
entitled:

AN ORDINANCE TO IMPLEMENT THE WILMINGTON PENSION  
COMMISSION'S RECOMMENDATIONS PURSUANT TO CHAPTER 39  
SECTION 6 OF THE WILMINGTON CITY CODE

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Ms. Shabazz: Yes Mr. President, I did have, I was not without leave - Councilwoman Shabazz.

President Gregory: Can you change that please?

Mrs. Seijo: I'll make that notation, thank you.

Ms. Shabazz: Thank you.

**\*\*Note: Correction is reflected on the above aforementioned committee reports for Ordinance Nos. 13-023 and 13-024.**

#### **TREASURER'S REPORT**

The following Treasurer's Report dated July 11, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams/ Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON July 11, 2013**

*[This space intentionally left blank]*

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 1,786.90
106	Fire Pension Account	M & T Bank	\$ 3,571.91
107	Evidence/Found Currency Account	M & T Bank	\$ 209,780.56
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 188,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 29,964.76
117	Cement Workers	Wilmington Savings Fund	\$ 33,351.27
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,247.66
130	Payroll	M & T Bank	\$ 178,056.31
131	Pension Payroll Account	M & T Bank	\$ 22,285.46
139	Pension Healthcare Account	M & T Bank	\$ <u>52,357.32</u>
	<b>Total Cash on Hand</b>		<b>\$ 741,685.20</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	07/11/13	0.25%	\$ 40.88	\$ 5,967,817.00
514	Risk Management	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
514	Risk Management	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
515	Worker's Comp.	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
515	Worker's Comp.	WSFS	CD	07/11/13	0.30%	\$ 350.34	\$ 1,375,000.00
116	General	WSFS	CD	07/12/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	07/12/13	0.30%	\$ 1,124.38	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	07/15/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	07/26/13	0.30%	\$ 279.45	\$ 2,000,000.00
110	Capital	WSFS	CD	07/30/13	0.30%	\$ 18,105.53	\$ 24,476,000.00
105	Police Pension	WSFS	CD	07/30/13	0.30%	\$ 312.99	\$ 1,190,000.00
124	Non-Uniform 1990	WSFS	CD	07/30/13	0.30%	\$ 1,237.48	\$ 4,705,000.00
106	Fire Pension	WSFS	CD	07/30/13	0.30%	\$ 795.62	\$ 3,025,000.00
110	Capital <sup>2</sup>	TD	CD	08/02/13	0.25%	\$ 57.67	\$ 240,528.79
116	General <sup>1</sup>	TD	CD	08/08/13	0.25%	\$ 5,384.28	\$ 14,292,802.00
116	General	WSFS	CD	08/09/13	0.30%	\$ 560.54	\$ 2,200,000.00
116	General	WSFS	CD	08/23/13	0.30%	\$ 813.69	\$ 2,200,000.00
110	Capital	WSFS	CD	08/28/13	0.30%	\$ 1,397.26	\$ 3,400,000.00
116	General	WSFS	CD	09/05/13	0.30%	\$ 1,048.76	\$ 2,200,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,499,457.00
104	Escrow Pension	Vanguard					\$ 18,718,633.00
104	Escrow Pension	Black Rock					\$ 52,214,004.00
104	Escrow Pension	Edgar Lomax					\$ 27,877,055.00
104	Escrow Pension	Wilmington Trust					\$ 30,469,671.00
104	Escrow Pension	Manning & Napier					\$ 23,765,104.00
104	Escrow Pension	Earnest Partners					\$ 12,025,730.00
104	Escrow Pension	GMO					\$ 10,677,792.00
139	Medical Escrow	Black Rock-OPEB					\$ 10,938,333.00
116	The Hartford	Deferred Comp.					\$ 34,002,948.00
	Total Investments						\$ 299,301,772.83
	Total Cash on Hand						\$ 741,685.20
	Grand Total						\$ 300,043,458.03

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

All Council	Sympathy Bishop Thomas John Weeks
D. Brown	Recognize Learning Neighborhoods Scholarship Recipients
D. Brown	Congratulate Coleman Bye, III of Mercantile Press
Chukwuocha	Elder Robert Goodman 11 <sup>th</sup> Pastoral Anniversary
Dorsey Walker	Sympathy Kim Vanessa Armstead

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President, thank you sir.

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-045 as follows:

**WHEREAS**, the United States Customs and Immigration Service (USCIS) administers the Immigrant Investor Program, also known as the EB-5 Visa process, as codified under United States Code Section 1153(b)(5), which is a program of the USCIS; and

**WHEREAS**, the United States Congress implemented the Immigrant Investor Program under the belief that this program would generate investments, jobs and economic revitalization in American communities through foreign investment; and

**WHEREAS**, to obtain a Visa under the Immigrant Investor Program, individuals must invest in a "Targeted Employment Area," which is a geographic area or political subdivision within a metropolitan area or city with a population of more than 20,000 residents and with an unemployment rate greater than one hundred and fifty percent (150%) of the national unemployment rate; and

**WHEREAS**, under the Immigrant Investor Program certain Visas are also set aside for investors in certain Regional Centers designated by USCIS based on proposals for promoting economic growth.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council urges the Governor of the State of Delaware to designate Wilmington, Delaware and other areas which qualify as a "Targeted Employment Area" as areas subject to the Immigrant Investor Program.

Mr. D. Brown: Yes Mr. President. This Resolution is being presented tonight for Council's review and approval. With approval, Council will be asking the governor of the state of Delaware to designate Wilmington or appropriate sections of Wilmington as a Targeted Employment Area enabling the City of Wilmington to participate in the Immigrant Investor Program known as EB5.

President Gregory: I want to thank you, Mr. Brown, for permitting this Resolution that need not be voted out of committee to be vetted in committee before bringing it to the floor by your City Council. It was a very intense and informative meeting. Thank you very much and thank you for bringing this novel concept that's been around for a while but now with this committee to our attention. The Clerk will call the roll.

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

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

Ms. Shabazz presented and called for third and final reading Ordinance No. 13-020 entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 14007PW –  
HVAC PREVENTATIVE MAINTENANCE, GENERAL AND  
EMERGENCY SERVICE WITH BRADLEY-SCIOCCHETTI, INC.

Ms. Shabazz: Mr. President, this Ordinance authorizes us to enter into a contract for HVAC preventive maintenance general emergency service at the Municipal Complex is with this vendor for a period of two years at an annual cost of \$30,260, - - \$30,266 with a possible one-year extension. This was vetted in Public Works Committee.

President Gregory: Councilman Brown.

Mr. M. Brown: Thank you Mr. President. I can only ask you, I know I don't go across the room and ask but, do you, do you know, Mr. President, or anyone knows, is this the, does this company service all of or just the facility that's mentioned here? The reason why I ask that is because the HVAC, I was over at Hicks Anderson the other day and it was out and they were waiting for the last three days to get somebody to come work on, part of the building was 110 degrees. So I was wondering, you know, if we're doing this for this, are we, at which I agree to this, don't get me wrong, how many

companies are we having to do all this for different parts of the city for different buildings? I would think that you might want to agree to this contract and I'm going to vote for it maybe if we, they had to call some emergency service at which would've been \$500 just for them to come in on Saturday they told me, and then, since they didn't, they said did not call, let them come in on Saturday, they had to wait to Tuesday, and then they didn't come Tuesday like they were supposed to, which would've been \$250 for the first hour, so, so I was wondering if we, I'm going to vote for this that we get them, can we just get . . .

President Gregory: Let me answer your questions this way, if I may, for a well put commenting question, could we get Councilwoman Shabazz under her committee of Public Works to vet the concept that you just made; that is, how're these contracts put out and how many more of the contracts do we have, and are we getting the biggest bang for our buck. Could we do . . .

Mr. M. Brown: (inaudible) the same thing.

President Gregory: Could we do that in the Public Works Committee?

Mr. M. Brown: Yeah, yeah, yes sir. I, I appreciate it. That's why I was talking to you, sir, because I know you don't like to go across the room, so, I appreciate, I will talk to her about that offline, but I'm going to vote for this.

President Gregory: You have a comment?

Ms. Shabazz: Yes, Mr. President. I just want to let my colleague know, as well as you, that is the intention of myself as Chair but because of the changing of the leadership in their department it has been delayed.

President Gregory: Clerk will call the roll.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-025 entitled:

AN ORDINANCE TO APPROVE THAT CERTAIN  
AGREEMENT OF SALE AND CERTAIN  
CONTRIBUTION AGREEMENT WHEREBY THE  
CITY OF WILMINGTON AGREES TO PURCHASE  
THE FINGER-GORDON PROPERTY TO CREATE  
THE SOUTH WILMINGTON WETLANDS

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

President Gregory: You have anything else Ms. Shabazz?

Ms. Shabazz: That's all for tonight, thank you sir.

President Gregory: Mr. Prado

Mr. Prado: I have nothing tonight Mr. President, thank you.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight, thank you Mr. President.

President Gregory: Mr. Williams.

Mr. Williams: Nothing this evening sir.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President. I have one for third and final and one, two...two I believe for first and second.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-024 entitled:

AN ORDINANCE TO IMPLEMENT THE WILMINGTON  
PENSION COMMISSION'S RECOMMENDATIONS  
PURSUANT TO CHAPTER 39 SECTION 6 OF THE  
WILMINGTON CITY CODE

Mr. Freel: Mr. President I move that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay vote.

Ms. Walsh: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Ordinance and called for the Yea and Nay vote. On the question.

Mr. Freel: Yeah, I do want to make some comments. First of all, I want to apologize to folks for being a little late this evening. It was something I couldn't avoid and I know there were some public comments that were made during this session that I missed, but I understand what, what they have asked. I just want to point out to folks that, you know, this, this isn't a vote whether you're for or against pension increases, whether you're for them for people been gone for thirty years or people gone for two years. It's really looking at the overall health of these pension funds and we had a good committee meeting yesterday, it was a lot of good discussion, but when you have some pension funds that are underfunded at 48 percent, it's a scary situation and you know, we've done a few increases in the past, which has added to that, and of course, we went through a bad time in the late 2000s where we really took a, took a hit on our earnings.

So, you know, as Chair of Finance Committee, I would love to vote yes for all these things but it's just not always possible. You know, when we did the bonuses at the end of last year, I had to vote no against that and I was prepared to vote no against this Ordinance tonight, not because, once again, I want to hurt anybody or maybe not because in this letter I received tonight and it says that there are some who do not have much compassion for the issue, and that's farthest from the truth, I would love to be able to give everybody a pension increase, same time I would love to be able to give every City employee a raise and we haven't been able to do that for a number of years. So, it concerns me that we boil this down to, to an issue where it's only \$200,000 and the City's got money and, and we can do this because it's much bigger than that. As we know, you know, our assets are underfunded by almost \$170 million for these funds. You know, we could find ourselves, you know, maybe not myself, but future Councils in ten or fifteen years could find themselves in a position where they're going to have to start cutting the pension funds by fifty percent. Other cities and government entities have had to do that. We've been fortunate we have not, but we haven't been able to do the increases either. So, what I'd like to do at this time is just, open it up for just some, cause I did not, obviously the Council members did not make comments during the public period. So, I would like to hear some comments from some other Council members at this time. Thank you.

President Gregory: Councilman Brown, Michael Brown.

Mr. M. Brown: Thank, thank you Mr. President, and Mr. Chairman, Mr. Freel, and to all, to all my Council members here. While, while we heard, certainly heard a number of retirees who came up to extend their voices to, in support of this bill, of this Ordinance, we, and we got a lot of phone calls, we got some emails but what, what strikes me is what I been telling them before, I said, well, you know, what, you got to look at we're, we, as a Council, right now, even though we say we would, we will go back and start it from July 1, we're in violation. This should've been done by June 30th,

by June 30th, and so having, knowing that we know we're in violation, even if you try to fix it, even if you try to fix it and say well, we'll vote on it tonight, whether it passes or not, if it passes we're going to do retro. Well, we still in violation, my colleagues. So, at, I would pose right not and get, and ask for a, a show of hands of support that we ask the Chairman and the sponsor of this bill, so we, know, look like we really know what we doing and in fairness we table this. We in violation, the recommendation came, the Administration messed up by holding it so long, and then we gone mess it up by eleven days later, twelve days later, vote upon it. I think it gives both sides now, if we were to table it, or hold it, it gives both sides an opportunity to go back and flush out some of the, some of the rough spots.

Some of those who have been on count, on, into this pension for only three years, well maybe, maybe we'll look at them and look at them in a different way, maybe they don't do this right now for them. Maybe it gives us both time, Council represented, Council from Council, Administration, the Treasurer's Office and all those other Union leaders to come to the table with a plan, and even if we don't come back to next year, we'll still be in violation but we'll be able to do it again and come out of a wreck, go back and get another recommendation for what we'll be working on and so that's what I'm asking for Mr. Freel, my friend, the Chairman of Finance Committee and my colleagues, that we table this tonight. It's not going to hurt us to table it tonight, to hold it, it's not going to hurt us because we're already in violation, and I don't want to be in violation of nothing if I can help it. So, I ask that question and I ask for your support, and I, if Mr. Freel would do so, if he wants to see how the rest of Council members feel about it by a show of hands . . .

President Gregory: No.

Mr. M. Brown: . . . I would ask for that.

President Gregory: No, we're not going to do a show of hands.

Mr. M. Brown: Oh, okay. Okay, okay, well, however, however you want to handle it. However you want to handle it.

President Gregory: That's not appropriate.

Mr. M. Brown: Okay but I, and I'll get five more minutes at, if you go around, please.

Ms. Walsh: Is, is that a motion, a point of order?

President Gregory: Mr. Prado.

Mr. M. Brown: It's not a motion yet...I want to hear...

Mr. Prado: Yeah, you know I struggled with this, but I have to agree with Mr. Freel, I think that right now we're, we're just not in a situation to do this. No one's gotten raises, I mean, even this Council, we're still working on the same salary as eight years ago, I think even longer, so we practicing what we preach, you know, we're not getting raises, City employees haven't gotten raises and it's a tough time for people, but we also have to look at the you know, the future and viability of this City and, you know, if we don't do things, if we don't make the right financial decisions then we become a failed city like Camden or Chester, and so we need to be careful with what we have and, as hard as that is, I, I just think that we need to, you know, to keep things tight and I don't think that voting to increase is the right thing.

President Gregory: Just so you know the rules, there's nothing in the rules that permit a show of hand as a prelude to a suggested motion to table. Mr. Williams.

Mr. M. Brown: Mr. President . . .

President Gregory: I'll be right, I'll be . . .

Mr. M. Brown: Okay.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. First, I have to go on record to say that I am a current pensioner from the City of Wilmington. So, I really can't speak my thoughts about this Ordinance, because I'm precluded from doing that by virtue of the Law Department, but I do recall that we had a recommendation that came from the Pension Commission, and then we sent it back, and now another recommendation has come from the Pension Commission. So, you know, things are in the work that, that we've asked them to do their diligence, they've done it and it's time for us to do ours.

President Gregory: I, I'm going to help you out Mr. Williams. You can speak to it because I'm asking you in my official, with respect to, in my capacity, whose first responsibility to give me your thoughts on the matter. That seems to be what the rule says.

Mr. Williams: Thank you.

President Gregory: Okay? So, you can speak to it; in, in more depth than you just did, if you choose to.

Mr. Williams: Well, I, absolutely I'd love to. I sat on the Pension Commission - - I sat on that Board for a period of ten years as a police officer. So, I understand the, the ramifications of having this the fiscal impact and I understand that there would be an impact, but we're talking of such a minor impact at this point. A hundred thousand dollars is a very minor impact to that pension plan. Thank you.

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

Mr. M. Brown: Only, please don't use this as my second round, once everybody's speaking, I request another five minutes, Mr. President. I just want to correct something, if I didn't correct it, when I come back with my second round of five minutes that is when I will probably prefer to make a friendly amendment. So, I'm just having a conversation right now about, to my colleagues and to all of you, about this Ordinance.

President Gregory: Councilwoman Walsh, then I'll come back . . .

Ms. Walsh: Mr. President I want to clear up one thing that Mr. Williams said. We did not send that back to the Pension Commission. I believe the City Solicitor decided that the Pension Commission had not legally met. So, it was not our decision to send that back to the Pension Commission.

Mr. M. Brown: That's right.

President Gregory: That's correct. Ms. Walsh, I mean, Ms. Shabazz, I'm sorry.

Ms. Shabazz: Thank you Mr. President. I concur with several things that our Finance Chair said regarding this and my understanding also is, I don't, it was not budgeted, which mean we had to do a budget amendment to do this and, there is the whole rest of the entire City of Wilmington staff that also have, are in that same predicament. I would prefer that we got a chance to do really comprehensive look of how we could not only give these pensioners, you know, an increase but also how we could possibly work into the budget to give the entire staff of the City of Wilmington a increase as well, so.

President Gregory: It's my understanding in coming out of the committee meeting before these things are voted on in the Pension Commission meeting there has been dialog over about a six- to nine-month period leading up to that so folk would have a lot of information to digest and a recommendation coming from the Administration, you got an idea from Council where we would be that did not happen this time, they went in and, and they voted on it, but again, I have a conflict, I receive a pension from the City having served on City Council 24 years, and when I was no longer here I had no plans on coming back so I took my pension. So, the opinion that referred, that Bob Williams, that applies to Bob Williams that he cannot vote also applies to me, but, it permits me to comment. So, I'll offer my comments at the appropriate time. Anyone else? Maria Cabrera, Councilwoman Cabrera.

Ms. Cabrera: Thank you. Thank you, Mr. President. Well, one of the things I would like is a little more time to explore all our options. After brief discussions with Union members, pensioners, leaders, and even with our colleagues, there were some options that came up that perhaps we need to explore and be further educated on and

make sure that we've done our due diligence. I understand after the meeting yesterday, which was very educational and we had excellent dialog that we need to be fiscally responsible. So, that is our responsibility, as Council, to make sure that we do the right things for the overall health of our budget and our city and for the people that we serve but I also understand the points that were made by the representatives of the Unions that spoke yesterday. They, I would say that two things were done yesterday: they were over- and understated. You know we hear about the people that are living in poverty levels so it was stated that there really are not that many and if it's a, a poverty-level issue, it's because it's people who paid into the fund for only five years at minimal amount. Yet, with some of these plans – because it seems that we have three of them – some folks had to work twenty-plus years to qualify.

So, that may not necessarily be true, and all of that, I don't think, was clear to, to everyone, at least it wasn't for me until further discussion and investigations. The other thing is that, yes, there are a lot of people that are in that poverty level and many of them are widowers. So, we can't underscore that as well. Here, tonight, some folks have spoken and others have said, you know, we would be willing to, to not vote on this tonight, let's table this so that we can further discuss it and look at some options and look at some solutions. The other thing is that the third plan, the one that pays into the municipality through the State that is funded; you know an option is why doesn't the City just turn over its pension plan completely to that particular fund, which is funded, that way everyone gets their pension increases. Now, my understanding was that we, as a City, do not want to let go of that money that we have in that pension fund so we, that's not an option. Now whether that is true or not that's something that I would have to investigate further, but that was something that - that was brought to the table, that we do have some options here so that folks can get these pension increases. So, I, for one, am going to support it if we go forward with a vote, and I also will support tabling it, but I will support the people who have worked and continue to work in public safety and yes, we do have to do our job in due diligence to be fiscally responsible, but, sometimes I see our fiscal responsibility on the backs of the people who need us the most and that maybe we need to look at other ways to put money into our budget or to cut costs so that we can do the right thing. Thanks.

President Gregory: Anyone else?

Mr. M. Brown: I get my second five?

President Gregory: Mr. Brown.

Mr. M. Brown: Thank, thank you, thank you Mr. President and to my colleagues and it was, you, you done an excellent job in wordings Councilwoman Cabrera. But what I want to say to - - anything wrong, Mr. Wright? You, you want to go before me?

Mr. Wright: Excuse me?

Mr. M. Brown: That's alright. Ms., Councilwoman Shabazz, when she spoke about and others about the raises and lack of people getting raises and, and the \$100,000 having to be called in for them to go back and do an amendment and the - those things were forthcoming, whether we look at it or not, that, the, that at some point we're going to do an amendment, maybe. The odds are we'll probably do an amendment before next year, before this physical year is ended. Maybe. That's one. Two, as I spoke to somebody about this today, I had a conversation with them, I said, you know, we talk about the, begin physical responsible and, and that's good, but we can't frighten people. This economy is turning around and it may not be turning around to the fast, to the pace where we all want it to be but it's turning around and I am one that support the employees here very hard, and I agree that they need to get what is their due, and that is raises. But, but I also agree with those who have spent twenty, thirty, thirty-five years serving us in this city, and, as, and those who are no long - - that their spouses are now holding on to the threads of almost having nothing, every little bit helps, and my philosophy is a half a loaf is better than no loaf. A half a loaf is better than no loaf.

So, now I come to you Mr. President and my colleagues here on, on Council, and to Mr. Freel, Councilman Freel, the Chairman of Finance, and I offer a friendly amendment that we hold this piece, that would give the Unions and everybody the opportunity to get to the table and make a plan. Councilwoman Walsh or somebody mentioned about how we got here, and I agree with her, and you're right, it wasn't us, but the bottom line is we're past due June 30th and it should've been done June 30th, and even though we going to try to if, we're to pass this we going to rectify it by going back to June, July 1, but it doesn't make it right that we didn't do it when it was supposed to be done, and now that that has happened, my friendly amendment is that we hold it, sir.

Mr. Freel: Is there any other comments? I did want to clear up one thing if I may?

Mr. M. Brown: I make a motion to do that, sir, as a friendly amendment to hold . . .

Mr. Freel: I didn't hear him say it, he was making a motion.

Ms. Shabazz: Right, you didn't say that.

President Gregory: No, he, he's making a motion . . .

Mr. M. Brown: I'm making a motion . . .

Mr. Freel: But I had started speaking, sir.

Mr. M. Brown: I apologize, I wasn't . . .

President Gregory: Hold up a minute . . .

Mr. Wright: Point of order.

Mr. Freel: You had two rounds....

(OVERLAPPING DIALOGUE)

President Gregory: Just a minute, just a minute, we're going to - - we're going to get it right, just a minute, okay? Go ahead Mr. Freel.

Mr. Freel: I did want to clear one thing up, if I understood Ms. Cabrera correctly. First of all, we did pass an Ordinance a couple years ago where new employees would go into the State system. But to think that the State would accept past employees or present employees into their system, which means we would have to shift over the funds that we have in ours, in ours to them, and they would accept that, when we're 48 percent underfunded, is just not realistic. So, I'm not sure that's what she was saying but I just want to make sure that's clear to everybody. I'm going to go ahead knowing how I feel about this and how I feel about the whole health of the pension funds and, you know, the stability of the city financial situation as it now, as it was stated I think by you, Mr. President, always in the past there was a plan before it even came to Council. It was not done this time; this was kind of by the seat-of-the-pants, I'm not even sure there was any thought put in it when they threw the \$200,000 out there, to be honest with you. Even if some point there's a plan that gets formulated, I do not think it should be passed by this Council until it goes through the next budget process and becomes a part of our overall budget, because at that time, if want do increases for pensioners and employees, we may have to raise taxes, and I think Council members have to be willing to do that if, if this is the kind of things they want to do. Having said that, I will go ahead and hold this tonight and I'm not sure how we're going to move forward with it, but obviously there'll be some more discussions. Thank you, sir.

President Gregory: Mr. Freel, would it be your intention to bring this up in the next several months, to let it run into the next time that the Commission is to meet would be problematic.

Mr. Freel: And I know that.

President Gregory: You want to give deference to those who are saying hold it and I'm not arguing against holding it . . .

Mr. Freel: Yeah, I know that. I mean, the situation's a mess to be honest with you. First of all, because of the way it was, the way it was passed without any thought to it, the fact that the legislation didn't show up until the first of July or whenever it was, this was not a good situation. So, I'm not sure legally, you know, I'm mean Mr. Brown's made a big deal about it's already late, I'm not sure I'm doing the right thing by holding it.

President Gregory: What, what are the consequences, because it's late, at this point in time? There, there are no consequences.

Mr. Freel: There are no consequences, but I don't know that you know, I don't know whether now we're under some sort of schedule, we got to pass something. I, I don't know, I mean, I know the Unions were asking the Administration to get this done, you know, they were looking for the legislation, here it is, now they want it held, this is new ground for me, to be honest with you.

President Gregory: I, I need just to get on the record some understanding, the representative from the, what is it, the Fire unit or the Police unit, asks that we hold it.

Mr. Freel: Mhm.

President Gregory: From both Unions?

Mr. Freel: Mhm.

President Gregory: So, I'm going to assume that they had the authority by some resolution or some vote of the Union to ask that we hold it at this time, not putting our obligations in jeopardy in any way whatsoever.

Mr. Freel: I doubt the, I doubt, seriously doubt they do. I had gotten a call from a Union representative earlier in the week, and I specifically asked him to come to the committee meeting ready to make a statement at the committee meeting to hold it, and as you know, that did not happen last night. He waited 'til tonight to do it. So, I doubt that they have met and took a formal vote of their leadership.

President Gregory: But we have to assume then that the president, unless they tell me otherwise, have the authority through some inherent authority, applied authority, apparent authority, from their Union that they could come in and ask for this to be held up for their benefit tonight. That's the record, at this point in time.

Mr. Freel: Okay.

President Gregory: Unless they tell me otherwise.

Mr. Freel: Okay.

(INAUDIBLE CONVERSATIONS WITH FIRE AND POLICE  
UNION LEADERS)

President Gregory: From there, I want to know, I want to hear from you, you have the authority to do that.

Speaker: Yes I do.

President Gregory: You are?

Mr. Lawson: Mike Lawson...(inaudible), President Lodge #1...(inaudible)

President Gregory: No, no, no. Thank you. I just wanted that on the record and who's from Police.

Mr. Freel: He's police.

President Gregory: Who's from fire? You're the authority to do that?

Speaker: Mr. President, I'm the President of the Retired Firefighter Association...(inaudible).

President Gregory: Ok, thank you. So you're holding it Mr. Freel? Yeah.

Speaker: Mr. President, I'm the President of the Retired Police Association, not from the (inaudible).

President Gregory: Ok, thank you. So, you're holding it Mr. Freel?

Mr. Freel: It's a mess, yeah, just hold it.

After extensive discussion Mr. Freel held Ordinance No. 13-024.

Mrs. Seijo: Councilman Freel, you ready to move forward?

President Gregory: Mr. Freel.

Mr. Freel: I have two more Ordinances.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-026 entitled:

AN ORDINANCE TO AUTHORIZE AN ELECTRICITY  
PROCUREMENT CONTRACT STARTING IN FY 2015

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

Mr. Freel presented and called for the first and second reading Ordinance No. 13-027 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS (SOUTH WILMINGTON WETLANDS PROJECT), SERIES 2013-SRF LAND CONSERVATION LOAN PROGRAM, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE CITY'S ACQUISITION OF LAND FOR THE SOUTH WILMINGTON WETLANDS PROJECT; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

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

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President. I have an Ordinance for third and final.

Mr. M Brown presented and called for the third and final reading Ordinance No. 13-023 entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 14008PD – POLICE UNIFORM CLEANING WITH BLUE SWAN, INC.

Mr. M. Brown: Yes, Mr. President, as we discussed yesterday in the joint Finance and Youth and Family meeting, this is a contract for cleaning uniforms by, for the, by the Blue Swan, Inc., who is the contractor and it's \$32,640 for the first year, with an option for the second year, and they, with the second year it's, the price stays the same and they were the lowest bidder.

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

Upon a motion of Mr. M. Brown, seconded by 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Congo. Total, one.

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing tonight sir.

President Gregory: Ms. Walsh.

Ms. Walsh: Nothing this evening, thank you.

President Gregory: Mr. Wright.

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

Mr. Wright presented Resolution No. 13-046 as follows:

**WHEREAS**, in one of the most devastating decisions in recent history, the U.S. Supreme Court on June 25, 2013 handed down a ruling gutting the 1965 Voting Rights Act; and

**WHEREAS**, in a 5 to 4 opinion, written by Chief Justice John Roberts, the Court ruled that Section 4, which established the formula that determined which jurisdictions were subject to federal “preclearance” of changes in election laws, was unconstitutional. Congress will now decide which areas of the country still warrant added federal scrutiny; and

**WHEREAS**, the Court Majority stated in effect, “We are not striking down the requirement that some states and cities must get pre-clearance from the Justice Department before making changes in election procedures. We are only saying that the list of covered jurisdictions is outdated. So Congress must redraw the map and document where discriminatory abuses can be demonstrated. Until it does, we are rendering the pre-clearance requirement inoperative for all jurisdictions”; and

**WHEREAS**, civil rights icon U.S. Representative John Lewis, a freedom rider who was beaten within an inch of his life as he marched in Selma, Ala., in support of voting rights for all Americans, stated “I truly believe that what the Supreme Court did was to stab, to put that dagger deep in the heart of the Voting Rights Act of 1965.” “We’re coming together – both Democrats and Republicans – on the House side, and they will do the same thing on the Senate side, to pass another Voting Rights Act.”;

**WHEREAS**, the Voting Rights Act of 1965, which will likely be renamed the John Lewis Voting Rights Act, now rests in the hands of Congress to restore the provisions destroyed by the Supreme Court ruling.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council urges the Congressional delegation from Delaware to restore the provisions of the Voting Rights Act to ensure that the right of all citizens to vote is protected as guaranteed by the Constitution of the United States of America.

Mr. Wright: Yes Mr. President, this Resolution here just is urging our Congressional delegation to actually support the efforts of the Voting Rights Act that Congress is looking to bring for a Senate hearing on July the 17<sup>th</sup>. Again, this is another effort to support the rights of, of voters, and I have done on a number of occasions, championing the causes just as in my first term I had stated with the State Hazel, State Rep. Hazel Plant bill to ensure that former felons who have served their time and paid restitution have the right to vote. This is no different in regards to ensuring that we do give everyone an opportunity to vote and exercise their right. The Supreme Court decision undermined the sacrifice of many individuals, including Congressman John Lewis, who this is going to kind of be named after as Congress move forward with this. He also fought in the initial signage of the Voting Rights Act in 1965 by President Johnson. So, thank you.

President Gregory: Anyone else?

Ms. Walsh: Mr. President.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President, to the, to the sponsor, does this bill have a number or sponsor in Congress?

Mr. Wright: At this moment it's being moved forward into a committee and as you know the process, it will come to that point, sir.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Normally the bill has a, at least a sponsor before it . . .

Mr. Wright: Right. That's correct. Can I just . . .

President Gregory: Can you clarify...I mean what, who does the question go to?

Mr. D. Brown: I was just asking first....

Mr. Wright: Where you leading? Oh, I'm sorry Mr. President.

President Gregory: I asked a question.

Mr. Wright: Yes, you're correct.

Mr. D. Brown: Is there a sponsor, is there a number? I know there's lots of conversation around it, but if we're asking our delegation to do this, is there a number? Is there a sponsor?

President Gregory: You can go ahead Mr. Wright.

Mr. Wright: Mr. Brown, as you're intelligent enough to understand, as the efforts are moving forward, we're asking them to support the effort, to champion the effort. That's what we're doing at this point, sir, to answer your question, if that's okay with you.

Mr. D. Brown: I'm assuming that means no, but, okay.

President Gregory: Well the - the, the Resolution sufficiently describes the issue that Mr. Wright is speaking to, if we want to get the name of the sponsor and the actual number to the bill we can get that, we'll get that for you.

Mr. D. Brown: Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: I was actually going to ask if I could be added to it.

Mr. Wright: Not a problem.

President Gregory: Yes.

Ms. Walsh: Thank you.

Mrs. Seijo: So noted.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Never mind.

President Gregory: No? Ms. Shabazz.

Ms. Shabazz: I, too, would like to be added as a co-sponsor.

Mrs. Seijo: So noted.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: I just would like to commend my colleague on Council, Councilman Wright, for bringing this forth, and I shall definitely support this effort on this evening.

President Gregory: Thank you. Ms. Cabrera.

Ms. Cabrera: I would like to be added as well, and commend my colleague.

Mrs. Seijo: So noted.

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

Upon of motion of Mr. Wright, seconded by Ms. Walsh, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, 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. Councilwoman Walsh asked to be excused before petitions and communications. So, she's excused.

### **PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed sympathies for various individuals. Council Members expressed their thanks to different departments, employees, citizens, the Mayor and Council President for attending and participating at various events throughout the city and as well as for assisting with issues in their districts. A breakdown of rental vs. homeownership for the City of Wilmington was requested for the next Housing, Licenses & Inspections Committee meeting. Council Members made comments regarding the following matters: clean-up from the storm, crime, pension ordinance, raises, termination of a city employee, including but not limited to the need for the Mayor to address many concerns.

### **ADJOURNMENT**

Upon a motion of Mr. Freel, seconded by Mr. Williams, Council adjourned at 8:08 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
August 22, 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 July 11, 2013, upon a motion of Ms. Walsh, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

**\*Note: At this time Council Members Cabrera, Freel and M. Brown were marked present and reflected in the minutes herein.**

### REPORT OF COMMITTEES

Mr. Freel presented the following committee report:

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

August 5, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

entitled: We, your Finance Committee, to who was referred **Ordinance No. 13-026**  
**AN ORDINANCE TO AUTHORIZE AN ELECTRICITY PROCUREMENT CONTRACT STARTING IN FY 2015**

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa Shabazz  
 /s/Theopalis K. Gregory, Sr, Ex Officio Member

**TREASURER'S REPORT**

The following Treasurer's Report dated August 22, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON August 22, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 2,285.22
106	Fire Pension Account	M & T Bank	\$ 2,008.95
107	Evidence/Found Currency Account	M & T Bank	\$ 290,956.31
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 188,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 270,783.11
117	Cement Workers	Wilmington Savings Fund	\$ 33,351.27
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,531.13
130	Payroll	M & T Bank	\$ 452,720.97
131	Pension Payroll Account	M & T Bank	\$ 17,842.43
139	Pension Healthcare Account	M & T Bank	\$ <u>4,731.79</u>
	Total Cash on Hand		\$ <b>1,285,494.23</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	08/22/13	0.01%	\$ 1.71	\$ 6,216,860.00
116	General	WSFS	CD	08/23/13	0.30%	\$ 813.69	\$ 2,200,000.00
110	Capital	WSFS	CD	08/28/13	0.30%	\$ 1,397.26	\$ 3,400,000.00
106	Fire Pension	WSFS	CD	08/29/13	0.30%	\$ 639.86	\$ 2,595,000.00
105	Police Pension	WSFS	CD	08/29/13	0.30%	\$ 212.05	\$ 860,000.00
124	Non-Uniform 1990	WSFS	CD	08/29/13	0.30%	\$ 1,194.66	\$ 4,845,000.00
110	Capital <sup>2</sup>	TD	CD	08/30/13	0.25%	\$ 46.14	\$ 240,586.46
116	General	WSFS	CD	09/05/13	0.30%	\$ 1,048.76	\$ 2,200,000.00
116	General	WSFS	CD	09/20/13	0.30%	\$ 1,093.15	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	09/23/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	09/30/13	0.30%	\$ 1,627.39	\$ 3,000,000.00
116	General	WSFS	CD	10/04/13	0.30%	\$ 1,150.68	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	10/07/13	0.25%	\$ 5,974.37	\$ 14,537,615.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,509,026.00
104	Escrow Pension	Vanguard					\$ 19,780,822.00
104	Escrow Pension	Black Rock					\$ 53,378,254.00
104	Escrow Pension	Edgar Lomax					\$ 29,289,790.00
104	Escrow Pension	Wilmington Trust					\$ 30,568,445.00
104	Escrow Pension	Manning & Napier					\$ 25,080,176.00
104	Escrow Pension	Earnest Partners					\$ 12,649,451.00
104	Escrow Pension	GMO					\$ 10,973,406.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,161,200.00
116	The Hartford	Deferred Comp.					\$ 34,307,626.00
	Total Investments						\$ 316,201,003.56
	Total Cash on Hand						\$ 1,285,494.23
	Grand Total						\$ 317,486,497.79

<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 Ms. Walsh, seconded by Mr. Freel, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Welcome Youth Chamber Orchestra of Fulda, Germany
All Council	Celebrate 200 Years of August Quarterly
All Council	Sympathy Father Roberto Balducelli
All Council	Sympathy Wilda A. Hutt
All Council	Retirement Stan Kozicki
All Council	Retirement Martin Meltzer
D. Brown	Congratulate Apostle Dr. Robert Revelle, Sr. – 20 <sup>th</sup> Pastoral Anniversary
D. Brown	Congratulate 41 <sup>st</sup> Graduating Class of Small Business Success Series
Cabrera/Council	Welcome Stephen Marley
Congo	Sympathy Emma Jean Scates Mills
Gregory	Welcome Wilson-Davis Family
Gregory/Brown	Sympathy Patricia Joanne Chavis-Smith
Shabazz/Brown	Sympathy Damiyr Khalid
Shabazz	Sympathy William H. Thompson, III
Walsh/Council	Recognize 50 <sup>th</sup> Anniversary of the March on Washington
Williams	Recognize Vinnie Fidance
Williams	Recognize the Congo Family – 13 <sup>th</sup> Annual Community/Hilltop Day
Wright	Sympathy Era Mary Spann
Wright	Best Wishes Hazel Coleman Deloatch – 60 <sup>th</sup> Birthday

**\*\*Note: During Non-Legislative Business, Council Member Wright was marked present and reflected in the minutes herein.**

## LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President, thank you sir.

President Gregory: Mr. Congo.

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

Mr. Congo presented Resolution No. 13-047 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 which case the application shall be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

**WHEREAS**, the City has been approved by the State of Delaware Department of Services for Children, Youth and Their Families to receive \$26,000.00 in grant funds for the operation and cost of the Safe Haven Program (the "Safe Haven"), which is scheduled to run from May 1, 2013 through September 30, 2013; and

**WHEREAS**, the City is not required to provide matching funds; and

**WHEREAS**, for timing purposes, the application for said grant had to be submitted in advance of City Council approval by resolution; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described grant funds received from the State of Delaware for the Safe Haven Program be accepted and approved, and the Mayor or his designee, the Director of Parks and Recreation, and the City Clerk are hereby authorized and directed to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Congo: Yes, Mr. President, this is a Resolution for us to authorize the Administration to accept \$26,000 that's going to go towards a Safe Haven grant for the "Hicks" Anderson Center. The timing is a little off; it's going to go from June to around October. We're going to ask for an extension so the kids will be able to attend "Hicks" Anderson Center and it will be able to stay open 'til June through October.

President Gregory: Anybody else? Clerk will call the roll, please.

Upon a motion of Mr. Congo, seconded by Ms. Walsh/Mr. Williams, the above 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. Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. Nothing tonight.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-028 entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT  
13080PWPS – INTELLIGENT SINGLE-SPACE PARKING  
METER TECHNOLOGY WITH DUNCAN PARKING  
TECHNOLOGIES, INC.

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

President Gregory: Mr. Prado.

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

On behalf of Council President Gregory, Mr. Prado presented Resolution No. 13-048 as follows:

**WHEREAS**, Low Income Housing Tax Credits (LIHTCs) and New Markets Tax Credits (NMTCs) together were responsible for over \$14 billion in direct investment in the United States in 2012 and have jointly supported over 160,000 jobs each year in the U.S.; and

**WHEREAS**, the LIHTCs and NMTCs programs' investments have provided families with habitable homes, revitalized commercial corridors, built new schools and health centers and supported small business development and job growth – all within our nation's most economically depressed neighborhoods; and

**WHEREAS**, the LIHTCs program is the most successful affordable housing program in our nation's history and has had a positive economic impact on our local communities; and

**WHEREAS**, since its inception, LIHTCs have created over 11,000 jobs and have generated \$44.2 million dollars in new construction and rehabilitation work throughout the state of Delaware; and

**WHEREAS**, together with NMTCs bond-generated credits, LIHTCs have generated \$840.3 million in local income for Delaware communities; and

**WHEREAS**, given our Nation's current fiscal challenges, the United States Senate considering deficit reduction solutions through major revisions to our tax code, putting LIHTCs and NMTCs at risk; and

**WHEREAS**, it is imperative to recognize that LIHTCs and NMTCs are proven and efficient means for creating affordable housing and economic development opportunities.

**NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF WILMINGTON**, hereby respectfully urges the United States Senate to support the preservation of the Low Income Housing Tax Credits and New Markets Tax Credits during its efforts to undergo tax reform.

Mr. Prado: Yes, Mr. President, this was on your behalf. This Resolution will preserve the low-income tax credits that are available now and with these tax credits it's spurred a lot of development in housing, schools, and it's provided a lot of jobs for

people and so it's simply asking the Congress to, as they're overhauling the tax code not to change or tamper with the Low Income Housing Tax Credits.

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

Upon a motion of Mr. Prado, seconded by Ms. Walsh, the above 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. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Williams.

Mr. Williams: No legislative business tonight Mr. President.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President, I have an Ordinance to present and call for third and final.

Mr. Freel presented and called for third and final reading Ordinance No. 13-026 entitled:

AN ORDINANCE TO AUTHORIZE AN ELECTRICITY  
PROCUREMENT CONTRACT STARTING IN FY 2015

Mr. Freel: Yes, Mr. President. For many years the City just kind of piggy-backed on a State contract for electricity rates. About three years ago, we went through a different process where the City, we allowed the City through the Commissioner of Public Works, to enter into a contract to procure electricity, and basically we work with a consultant who monitors the hourly rates of electricity and the cost per kilowatts, and it's a very, it's a process that you have to move very quickly on, it's almost like investing in stocks and you have to move when the rates are the best. So this allows our Commissioner to enter into a contract of either two or three years with one of three companies that have been approved through an RFP process. Like I said, this is the second time we've done it; the first time, I think we can say it was a success. In Fiscal Year 2010, in the Water/Sewer Fund, we were paying about \$1.3 million a year for electricity; in Fiscal Year 2013 we will probably be looking at about \$650,000. So I think it's a good process, I think it's worked well for us in the past and I think we should continue it in the future to see if we can still garner those kinds of savings. I'll try to answer any questions my colleagues might have.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. Mr. Freel, for this Ordinance, the length of the contract at two or three years is up to the Commissioner of Public Works, is that correct?

Mr. Freel: That'll be correct. Basically what happens is our consultant will call us and we will have maybe an hour to make a decision. They will look at the rates, they'll say the rates are very good; if we want to move, we should move quickly. At that time, based on their knowledge, on the trends, on how the rate's been moving, whether they see the rates start going up again and when they might come down, they'll make a decision on whether to go to a two- or three-year contract.

President Gregory: Clerk will call the roll, please.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, 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. Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President, I do have an Ordinance to present and call for the first and second please.

Mr. M. Brown presented and called for the first and second reading Ordinance No. 13-029 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CONTRACT 13042FDPS – AMBULANCE SERVICE FOR  
CITY OF WILMINGTON WITH ST. FRANCIS HOSPITAL

This Ordinance was given two separate readings by title only and upon a motion of Mr. M. Brown, seconded by Ms. Walsh, was received, recorded, and referred to the Public Safety Committee, which will be held on September 12<sup>th</sup>. Motion prevailed.

President Gregory: Mr. Brown you got another one?

Mr. M. Brown: I do Mr. President. I have an Ordinance to present and call for first and second reading.

Mr. M. Brown presented and called for the first and second reading Ordinance No. 13-030 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CONTRACT 13001PDPSR – PROFESSIONAL SERVICES  
FOR BUILDING MANAGEMENT AT PUBLIC SAFETY  
BUILDING WITH ASSET MANAGEMENT ALLIANCE

This Ordinance was given two separate readings by title only and upon a motion of Mr. M. Brown, seconded by Mr. Williams, was received, recorded, and referred to the Public Safety Committee, which will be held on September 12<sup>th</sup>. Motion prevailed.

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

Mr. M. Brown presented Resolution No. 13-049 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 shall 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 United States Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Grant in the amount of \$225,942.00; and

**WHEREAS**, the said grant will be applied toward salaries for two Cold Case Investigators, overtime payments for Situational Police training, and technology improvements for body armor and surveillance equipment; and

**WHEREAS**, the said grant does not require a local match; and

**WHEREAS**, the grant application had a submission deadline of July 9, 2013; and

**WHEREAS**, even though the application for said grant has been submitted, the WPD must still take the affirmative step of accepting the funding should it be a successful applicant; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grant from the United States Department of Justice, Bureau of Justice Assistance, for \$225,942.00 for the aforesaid purpose.

**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 United States Department of Justice, Bureau of Justice Assistance in the amount of two hundred and twenty five thousand, nine hundred and forty two dollars (\$225,942.00).

Mr. M. Brown: Yes, Mr. President. This grant is a grant from the United States Department of Justice, the Bureau of Justice Assistance, Edward Byrne Memorial Justice Grant, and it's for \$225,942 and it's for a list of items, and it's no matching grant. Now a list of items, if I can take this opportunity, it's for a cold case investigator, for overtime payment for sensational police training, it's also for technology, improvement of body armor and surveillance equipment, and as I said Mr. President, the grant does not require any matching funds.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Just quickly I'd like to point out that there is a provision here for the cold case. We did hear a lot about cold cases in the city of Wilmington, that they were sitting dormant for a period of time and we do have some retirees that have come in blowing the dust off of these cases and they're starting to make some headway, so I'm very encouraged by some of the productivity that they're coming up with in getting some of these cases brought about. The other thing I see is that the Special Operations Division will be funding overtime so that the officers can attend community policing training, and I expressed in the Public Safety Committee that I sincerely request the Department give special consideration to the officers that are assigned to community policing and to leave them in a designated area for an extended period of time so that the community can begin to join forces with them and create a bond that will help us over some of these crime situations. Thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I'm glad to see that we are finding some assistance to do some of the things to address some of the violence and the crime that's in our community, and I am focusing on the overtime payments for the community policing training and just hope that within that training that there is a strong component of cultural intelligence that is done through the community policing that the police are understanding the cultural of the communities that they will be policing and have an understanding of the cultural and be able to then interpret it in their acts of protection and safety.

President Gregory: Thank you, Mr. Brown.

Mr. D. Brown: Thank you Mr. President. I raised this at the committee meeting; I'm going to raise it again. For joining this body I often heard this body talk about receiving notifications of these types of funds before the application's actually submitted, whether it be from Wilmington PD, Public Works and other departments, and with this one, it appears that this was previously submitted in early July and I know the department has someone that manages its grants already. But when you talk about the Department of Justice and their BJA grants, this is a revolving grant so it comes around every year. It's not like this is a date that we don't know that's coming, so in the future I just expect to get this before its actually submitted. Thank you.

President Gregory: Thank you. Mr. Brown.

Mr. M. Brown: Yes, Mr. President, may I respond to that? As stated, Councilman Brown did mention that in the Public Safety Committee meeting that we held and I thought then that I tried to explain that this grant application did come before us, but it came before us with some controversy from the person who was presenting it from the Mayor's side, and I asked that person to excuse themselves from that meeting because of how it was beginning to become more of a controversial issue on a personal level I believe and the chief of police was there, as well as staff members was there as well as other police officers were there and we discussed this grant and then I explained that to Councilman Brown and other members that's why we brought it back up at this time, and that I've asked the Administration not to let that person come back in and present nothing to us again. And that's the bottom line. And so we can move forward. I thought that's what I suggested and I said the same thing I'm saying now. I don't want that person back and that's what happened here. We got held up because of some personality issues I believe. So, but it won't happen again because I don't like late stuff either. I don't like late stuff, I really don't. So that's the reason this is as this is.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President for a second opportunity. I did make a statement regarding the importance of cultural intelligence. I really would like to make sure if anyone get back to me that in the community policing training that it is some diversity in cultural intelligence included in that training cause I think that's vital for the community policing to be effective, so if I could get the response back, if not now but later, if that is included in community policing, I would greatly appreciate it.

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

Upon a motion of Mr. M. Browns, seconded by Ms. Walsh, the above 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: No business this evening.

President Gregory: Did I call you? Mr. Freel?

Mr. Freel: Yeah, I had the one ordinance.

President Gregory: Oh you did because I keep missing you all the time.

Ms. Cabrera: You keep missing him.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation. Thank you.

President Gregory: Mr. Wright.

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

President Gregory: We're going to go to Petitions and Communications and we have to do them because we've been off for about two or three weeks but I want you to be mindful that it's hot in here. The air conditioner was off until just before we started the meeting. So, I'm going to ask that you be severely brief in your comments, severely brief in your comments but I know that part of our role is to inform people and make comments and we're going to do it and caring that I do but please be brief.

### PETITIONS AND COMMUNICATIONS

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed birthday wishes and sympathies for various individuals. Council Members made comments regarding the following matters: crime/gun violence in the city and recommendations thereof; community policing; back to school (book bag giveaways); walking groups; trash/weeds/lights out and mosquito infestations. Congratulations were duly given to the graduating Police Academy class. In addition, a demographic of the Police Academy graduating class was requested. It was duly noted that dialogue is improving with the Administration.

### ADJOURNMENT

Upon a motion of Ms. Walsh/Mr. Williams, seconded by Ms. Cabrera, Council adjourned at 7:40 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
August 29, 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, Cabrera, Walsh, Wright, and Council President Gregory. Total, eleven. Absent, Council Members M. Brown and Walsh. Total, two.

**MINUTES**

After reading a portion of the minutes of August 22, 2013, upon a motion of Mr. Williams, seconded by Mr. Freel/Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Ms. Shabazz presented the following two-committee reports:

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

August 21, 2013

President and Members of Council of  
The City of Wilmington  
Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Substitute No. 1 to Ordinance No. 13-021** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE  
 BY AMENDING THE BOUNDARIES OF RESIDENTIAL PARKING  
 AREA "F" AND TO ENACT CERTAIN TRAFFIC/PARKING  
 REGULATIONS THROUGHOUT THE CITY

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/Theopalis K. Gregory, Sr., Ex Officio

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

<u>Public Works &amp; 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 21, 2013

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. 13-025** entitled:

AN ORDINANCE TO APPROVE THAT CERTAIN AGREEMENT  
 OF SALE AND CERTAIN CONTRIBUTION AGREEMENT  
 WHEREBY THE CITY OF WILMINGTON AGREES TO  
 PURCHASE THE FINGER-GORDON PROPERTY TO CREATE  
 THE SOUTH WILMINGTON WETLANDS

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/Michael A. Browns, Sr.  
/s/Nnamdi O. Chukwuocha  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Mr. Freel presented the following committee report:

Finance Committee Member	Present	Absent with Leave	Absent w/out Leave
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado			X
Hanifa G.N. Shabazz	X		
Loretta Walsh			X

August 21, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-027** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS (SOUTH WILMINGTON WETLANDS PROJECT), SERIES 2013-SRF LAND CONSERVATION LOAN PROGRAM, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE CITY'S ACQUISITION OF LAND FOR THE SOUTH WILMINGTON WETLANDS PROJECT; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair

/s/Michael A. Brown, Sr.  
/s/Hanifa Shabazz

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

**TREASURER'S REPORT**

The following Treasurer's Report dated August 29, 2013 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON August 29, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 381,937.39
106	Fire Pension Account	M & T Bank	\$ 45,103.32
107	Evidence/Found Currency Account	M & T Bank	\$ 290,956.31
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 188,321.36
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 770,872.68
117	Cement Workers	Wilmington Savings Fund	\$ 33,351.27
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 112,566.79
130	Payroll	M & T Bank	\$ 199,841.07
131	Pension Payroll Account	M & T Bank	\$ 354,368.53
139	Pension Healthcare Account	M & T Bank	\$ 36,304.33
	Total Cash on Hand		\$ 2,433,584.74

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	08/29/13	0.01%	\$ 2.62	\$ 9,564,607.00
106	Fire Pension	WSFS	CD	08/29/13	0.30%	\$ 639.86	\$ 2,595,000.00
105	Police Pension	WSFS	CD	08/29/13	0.30%	\$ 212.05	\$ 860,000.00
124	Non-Uniform 1990	WSFS	CD	08/29/13	0.30%	\$ 1,194.66	\$ 4,845,000.00

110	Capital <sup>2</sup>	TD	CD	08/30/13	0.25%	\$ 46.14	\$ 240,586.46
116	General	WSFS	CD	09/05/13	0.30%	\$ 1,048.76	\$ 2,200,000.00
116	General	WSFS	CD	09/20/13	0.30%	\$ 1,093.15	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	09/23/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	09/30/13	0.30%	\$ 1,627.39	\$ 3,000,000.00
116	General	WSFS	CD	10/04/13	0.30%	\$ 1,150.68	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	10/07/13	0.25%	\$ 5,974.37	\$ 14,537,615.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,509,026.00
104	Escrow Pension	Vanguard					\$ 19,780,822.00
104	Escrow Pension	Black Rock					\$ 53,378,254.00
104	Escrow Pension	Edgar Lomax					\$ 29,289,790.00
104	Escrow Pension	Wilmington Trust					\$ 30,568,445.00
104	Escrow Pension	Manning & Napier					\$ 25,080,176.00
104	Escrow Pension	Earnest Partners					\$ 12,649,451.00
104	Escrow Pension	GMO					\$ 10,973,406.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,161,200.00
116	The Hartford	Deferred Comp.					\$ 34,294,996.00
	Total Investments						\$ 327,536,120.56
	Total Cash on Hand						\$ 2,433,584.74
	Grand Total						\$ 329,969,705.30

<sup>1</sup> Budget Reserve

<sup>2</sup> Lincoln Towers BAN

<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

**\*Note: At this time Councilman Congo was marked present and reflected in the minutes herein.**

**NON-LEGISLATIVE BUSINESS**

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

All Council	Welcome Youth Symphony Orchestra of Macao, China
All Council	Pamela White Retirement
M. Brown	U.A.M.E. Church 200 <sup>th</sup> Anniversary
M. Brown/Shabazz	Best Wishes Ruby Mae Ryle – 99 <sup>th</sup> Birthday
Cabrera/Council	Latin American Community Center Open House

**LEGISLATIVE BUSINESS**

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you sir.

President Gregory: Councilman Congo.

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

President Gregory: Councilman Darius Brown.

Mr. D. Brown: Yes Mr. President. I have an Ordinance to present and call for first and second reading.

Mr. D. Brown presented and called for the first and second reading Ordinance No. 13-031 entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE REGARDING THE RESPONSIBILTIES AND DUTIES OF THE DIRECTOR OF HUMAN RESOURCES

This Ordinance was given two separate readings by title only and was duly received, recorded and referred to the Finance Committee.

President Gregory: Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-021 entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/PARKING REGULATIONS

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

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING THE BOUNDARIES OF RESIDENTIAL PARKING AREA "F" AND TO ENACT CERTAIN TRAFFIC/PARKING REGULATIONS THROUGHOUT THE CITY

Ms. Shabazz: Mr. President, this is to amend the boundaries of residential parking area "A". I would also be approving numerous other traffic and parking regulations throughout the City and in various Councilmanic districts.

President Gregory: I have just one question. Do we do financial impacts with these ordinances? It seems that we should given the fact that we may be taking some spaces out of circulation, and we're putting some spaces into circulation.

Ms. Shabazz: I would be tempted to say Mr. President, I couldn't ask exactly financial, but I know that there is a complete feasibility study that's done when some of the signs have changed, and as well our belief some incidences that are presented before the community.

President Gregory: To the extent that there's a financial impact whether we're gaining or losing income, it should be attached to the ordinance; and we're just still with that going forward.

Ms. Shabazz: Yes sir.

President Gregory: Clerk call the roll.

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

President Gregory: Declare it adopted.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-025 entitled:

AN ORDINANCE TO APPROVE THAT CERTAIN AGREEMENT  
OF SALE AND CERTAIN CONTRIBUTION AGREEMENT  
WHEREBY THE CITY OF WILMINGTON AGREES TO  
PURCHASE THE FINGER-GORDON PROPERTY TO CREATE  
THE SOUTH WILMINGTON WETLANDS

Ms. Shabazz: Mr. President, this ordinance would authorize the City to proceed with the acquisition of the Finger-Gordon property in south Wilmington. The City would contribute \$808,833 of the total \$1.5 million purchase price to obtain approximately 20-acres of land which would become part of the planned South Wilmington Wetlands and Flood Mitigation Program. This recommendation for this has been part of the SAMP Plan that's been vented through the community, and we know that it's - - I'm excited about it's going forward Mr. President because we know that this would be one of the major components to address the flooding that's happening in the Southbridge community, and that they've been living with for the past 50 years.

President Gregory: Thank you. Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. I want to thank the sponsors and the leadership of Council from Councilwoman Shabazz and Councilman Freel. I want to thank also the Departments of Public Works and Economic Development. There was a - - some meetings that we had in discussion around this in updating me on the process of this because this was something that began before I came on Council, and a lot of the concerns and questions I had around just the input of the community and the actual work that will be done in the actual neighborhood, the physical neighborhood, with people residing in the housing area, they were able to answer many of those questions and give me assurance around that, and so because of that I'll be supporting this ordinance tonight.

President Gregory: Thank you.

Ms. Shabazz: Thank you.

President Gregory: Clerk call the roll.

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

President Gregory: Declare it adopted.

Ms. Shabazz: Thank you Mr. President.

President Gregory: Mr. Prado.

Mr. Prado: Nothing tonight Mr. President, thank you.

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Mr. President, I have a Resolution to present.

Mr. Williams presented Resolution No. 13-050 as follows:

**WHEREAS**, the Delaware Economic Development Office (“DEDO”) has established the Downtown Delaware Commercial District Affiliate status to assist localities in developing public/private efforts to revitalize their downtown commercial areas; and

**WHEREAS**, interested Delaware cities, towns, and communities that are exploring downtown revitalization, those that may not be eligible for designation or those that do not wish to meet Main Street requirements may participate as an Affiliate; and

**WHEREAS**, Affiliate communities will have access to all Downtown Delaware training and limited on-site assistance, as resources permit; and

**WHEREAS**, the commercial district bounded by Lincoln and Union Streets, in the City of Wilmington, desires to participate in the DEDO Downtown Delaware Commercial District Affiliate Program and has completed the necessary application.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON:**

**SECTION 1.** That the commercial district bounded by Lincoln and Union Streets, in the City of Wilmington (as defined in the West Side Revitalization Plan, published June 2012, as the area bounded by Lincoln Street, Lancaster Avenue, Union Street and Pennsylvania Avenue) applied to participate in the DEDO Downtown Delaware Commercial District Affiliate Program with the specific goal of economically revitalizing the designated downtown district within the context of historic preservation using the Main Street Approach as a model.

**SECTION 2.** That the commercial district bounded by Lincoln and Union Streets, in the City of Wilmington, recognizes that the Main Street model is considered one of many economic and community development tools used by a locality and that successful downtown revitalization requires an on-going commitment, continuous attention and a full public-private partnership. Accordingly, the district has

full intention to actively support the initiatives developed as a result of Commercial District Affiliate status, resources permitting.

**SECTION 3.** That the commercial district on Lincoln and Union Streets, in the City of Wilmington, understands that participation in the DEDO Downtown Delaware Commercial District Affiliate Program does not guarantee selection as a Designated Main Street Community, and that the district will be eligible to receive Affiliate Community services from Downtown Delaware as long as the requirements stated in the Program Guidelines are met.

**BE IT FURTHER RESOLVED** that the Council supports the participation of the commercial bounded by Lincoln and Union Streets in the DEDO Downtown Delaware Commercial District Affiliate Program.

Mr. Williams: Yes Sir, Mr. President. This is a; a part of the Westside Revitalization Plan. They're going to make application, or they have made application to become an affiliate; specifically to get the designation as a main street, ah, that would be Union Street and Lincoln Street specifically.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, if Mr., if the Councilman agrees, I'd like to be added as a co-sponsor.

Mr. William: Absolutely.

Ms. Dorsey Walker/President Gregory: Thank you.

Mrs. Seijo: So noted.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Mr. President, I too would like to be added on as a co-sponsor...

Mrs. Seijo: So noted.

Ms. Shabazz: ...and I'm on the Board of the Wilmington Downtown Main Street, and I'm really excited to see that this whole idea of creating main streets throughout Wilmington is spreading throughout the City...

President Gregory: Thank you.

Ms. Shabazz: ...and I look forward to working along with you anyway I can too support this.

President Gregory: Thank you. Mr. Brown.

Mr. D. Brown: Thank you Mr. President. DEDO's downtown program has been something that has support a lot of main street throughout the State, and it's refreshing to know that we're doing that here in the City of Wilmington; even in an area that is known to be vibrant around small business, we need to still support small business and grow small businesses here in the City of Wilmington. So, I want to commend West Side Grows and also the Councilman from the 7<sup>th</sup> District for presenting this to us tonight.

President Gregory: Okay, thank you. Just let me make a comment. I'm totally in favor of this, but we get a lot of, we're getting more and more of what I call substantive kinds of resolutions, they're not quite ordinances, but they are substantive and they have severe policy implications. So, I'm hopeful that we can start vetting some of these in committee before we bring them to the floor...

Mr. Williams: Yes sir.

President Gregory: ...so we can get a full understanding of the implications with respect to the City of Wilmington. That's not directed at you personally...

Mr. Williams: I understand.

President Gregory: ...but, I stand on my mind, I'm not going to do a rule change, but I do believe that we have to make a distinction between substantive ordinances in what I call message or lobbying ordinances, what we're sending the sense of Council to somebody else; but we do get some substantive ordinance through here, and I view this as one that's very substantive, and I would have like to have it vetted in a committee if you don't mind.

Mr. Williams: Yes sir.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Williams, seconded by President Gregory, the above 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, Wright, and Council President Gregory. Total, eleven. Absent, Council Members M. Brown and Walsh. Total, two.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Yes Mr. President. I have one Ordinance for third and final and one for first and second.

Mr. Freel presented and called for third and final reading Ordinance No. 13-027 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS (SOUTH WILMINGTON WETLANDS PROJECT), SERIES 2013-SRF LAND CONSERVATION LOAN PROGRAM, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE CITY'S ACQUISITION OF LAND FOR THE SOUTH WILMINGTON WETLANDS PROJECT; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

Mr. Freel: Mr. President, this is kind of a companion piece through the ordinance that Councilwoman Shabazz passed earlier tonight, and this gives the City the ability to issue bonds to finance the South Wilmington Wetlands Project. What's encouraging about this is we are borrowing 4.37 million dollars, but we are going to add this on through some existing State revolving fund that we have; and by doing that, we been able to lower the interest rate on the overall debt so that in the end our indebtedness is no greater than it is today, and we have an additional 4.3 million to do this project. So, it turns out to be a very good deal for the City, and as Ms. Shabazz stated earlier, this finally moves forward in addressing some issues that have probably been plaguing that south Wilmington community for over 50 years.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I want to thank Councilman Freel for working along with me to make this project come to fruition. This Ordinance here is like you said a companion to give us the resources to do what's necessary to create the wetlands. I want to just also give a thank you to - - (inaudible) a little bit, on December 21<sup>st</sup> it was a major rain, and flooding was up to the engines of the cars of the people in south in south Wilmington, and I took pictures and sent it to the Governor; and from that he called in (inaudible) and ask them to help us, and he did, and this piece here is to help them (inaudible) for the Governor and the State to help them with residents in south Wilmington. So, I hope my colleagues see the value importance of this and support it; and if I can Mr. President, I would like to thank the mitigation team that Chris pulled together to give us all the details of what's necessary to make this wetland come to fruition.

President Gregory: Mr. Williams.

Mr. Williams: Yes sir, Mr. President. Although, I was not able to make the committee meeting I did attend the meeting down in Southbridge along with Councilwoman Shabazz and heard the full presentation prior to the committee meeting. So, thank you for that presentation. It was spot on.

President Gregory: This could be used as a case study with respect to how things get done effectively and how long it takes things to get done. I think this started what eight to ten years ago when I was on City Council. I remember going to Southbridge; a handful of people and it grew, and a lot of dialog as to how to address the issue of flood, flooding down there and various competing interests. So, things do get done in the City of Wilmington. There was a lot of cooperation here from the various executive branches of government and legislators in the community. So, job well done Ms. Shabazz - - job well done.

Ms. Shabazz: Thank you sir.

President Gregory: Job well done. Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Shabazz, the above Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Cabrera, Wright, and Council President Gregory. Total, eleven. Absent, Council Members M. Brown and Walsh. Total, two.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Mr. President, I have one additional Ordinance for first and second.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-032 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WILMINGTON HOUSING PARTNERSHIP PROJECT) IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE CONSTRUCTION OR REHABILITATION OF HOUSING AND THE REFINANCING OF A PRIOR LOAN; AUTHORIZING A LOAN OF A PORTION OF THE PROCEEDS TO THE WILMINGTON HOUSING PARTNERSHIP CORPORATION; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

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

President Gregory: Ms. Shabazz...for Mr. Brown.

Ms. Shabazz: Mr. President, I have an Ordinance to present on behalf of Councilman Brown and call for the first and second reading.

On behalf of Mr. M. Brown, Ms. Shabazz presented and called for the first and second reading Ordinance No. 13-033 entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY  
CODE REGARDING DONATED LEAVE

This Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by President Gregory, was received, recorded, and referred to the Finance Committee.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening.

President Gregory: Ms. Walsh absent. Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

**PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed anniversary/birthday and get well wishes. In addition, Council Members expressed their thanks to various city departments and individuals throughout their districts. Council Members spoke and/or made comments regarding the following matters: schools back in session and the need of riders to show caution of those children who are walkers; encouragements were expressed to children to do their best and for parents to be involved; and concerns of environmental issues were expressed regarding a new oil disposal facility.

**ADJOURNMENT**

Upon a motion of Mr. Freel, seconded by Ms. Shabazz, Council adjourned at 7:19 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
September 5, 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 August 29, 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 three-committee reports:

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

President and Members of Council of  
The City of Wilmington

September 3, 2013

Ladies and Gentlemen:

We, your Finance Committee, to who was referred Sub. No. 1 to  
**Ordinance No. 13- 031** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY  
 CODE REGARDING THE RESPONSIBILITIES AND DUTIES  
 OF THE DIRECTOR OF HUMAN RESOURCES

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa Shabazz  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

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

President and Members of Council of  
 The City of Wilmington

September 3, 2013

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-032**  
 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S  
 GENERAL OBLIGATION BOND (WILMINGTON HOUSING  
 PARTNERSHIP PROJECT) IN ORDER TO PROVIDE THE FUNDS  
 NECESSARY TO FINANCE THE CONSTRUCTION OR  
 REHABILITATION OF HOUSING AND THE REFINANCING OF A  
 PRIOR LOAN; AUTHORIZING THE LOAN OF A PORTION OF THE  
 PROCEEDS TO THE WILMINGTON HOUSING PARTNERSHIP  
 CORPORATION; PROVIDING FOR THE SALE OF THE BOND;  
 AND AUTHORIZING OTHER NECESSARY ACTION

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

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

President and Members of Council of  
The City of Wilmington

September 3, 2013

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-033** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY  
CODE REGARDING DONATED LEAVE

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

**TREASURER'S REPORT**

The following Treasurer's Report dated September 5, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON September 5, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 1,937.39
106	Fire Pension Account	M & T Bank	\$ 1,103.32
107	Evidence/Found Currency Account	M & T Bank	\$ 290,958.80
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 917,850.00
117	Cement Workers	Wilmington Savings Fund	\$ 33,351.27
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,566.79
130	Payroll	M & T Bank	\$ 397,592.75
131	Pension Payroll Account	M & T Bank	\$ 91,879.18
139	Pension Healthcare Account	M & T Bank	\$ <u>4,371.55</u>
	Total Cash on Hand		<b>\$ 1,764,312.16</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	09/05/13	0.01%	\$ 2.11	\$ 7,696,998.00
116	General	WSFS	CD	09/20/13	0.30%	\$ 1,093.15	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	09/23/13	0.25%	\$ 738.45	\$ 1,540,195.00
105	Police Pension	WSFS	CD	09/26/13	0.30%	\$ 117.37	\$ 510,000.00
106	Fire Pension	WSFS	CD	09/26/13	0.30%	\$ 491.34	\$ 2,135,000.00
124	Non-Uniform 1990	WSFS	CD	09/26/13	0.30%	\$ 1,140.33	\$ 4,955,000.00
110	Capital <sup>2</sup>	TD	CD	09/27/13	0.25%	\$ 46.15	\$ 240,632.60
116	General	WSFS	CD	09/30/13	0.30%	\$ 1,627.39	\$ 3,000,000.00
116	General	WSFS	CD	10/04/13	0.30%	\$ 1,150.68	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	10/07/13	0.25%	\$ 5,974.37	\$ 14,537,615.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,509,026.00
104	Escrow Pension	Vanguard					\$ 19,780,822.00
104	Escrow Pension	Black Rock					\$ 53,378,254.00
104	Escrow Pension	Edgar Lomax					\$ 29,289,790.00
104	Escrow Pension	Wilmington Trust					\$ 30,568,445.00
104	Escrow Pension	Manning & Napier					\$ 25,080,176.00
104	Escrow Pension	Earnest Partners					\$ 12,649,451.00

104	Escrow Pension	GMO					\$ 10,973,406.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,161,200.00
116	The Hartford	Deferred Comp.					\$ 34,519,655.00
	Total Investments						\$ 328,993,216.70
	Total Cash on Hand						\$ <u>1,764,312.16</u>
	Grand Total						\$ 330,757,528.86

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

- All Council      Honoring the "Heart of Steel" Exhibit Commemorating the Fallen Heroes of the 9/11 Attack
- All Council      Sympathy Godfrey "Ibis" Pitts
- Cabrera/Council Latin American Community Center Open House
- Congo             Congratulate the Genius@Work Foundation Summer Program Graduates
- Dorsey Walker   Best Wishes Ruby Kimble – 70<sup>th</sup> Birthday

### LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you sir.

Mr. M. Brown: Mr. President, please, may I?

President Gregory: We're going to suspend the rules at this time to have Mr. Brown to go first or going in the next order as he has to leave. Mr. Brown.

Mr. M. Brown: Yes Mr. President, thank you. I have an Ordinance to present and call for the third and final reading.

Mr. M. Brown presented and called for the third and final reading Ordinance No. 13-033 entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING DONATED LEAVE

Mr. M. Brown: Yes, Mr. President. This legislation amends Chapter 40 of the City Code, the City Personnel Code, by allowing qualified employees to donate accumulated leave to designated employees and allow such designated employees to receive such donated leave when certain employment requirements are met. It's a donation bank for leave.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh, the above 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, 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.

Mr. M. Brown: May I be excused Mr. President?

President Gregory: Yes.

Mr. M. Brown: Thank you.

President Gregory: Thank you. Mr. Darius Brown

Mr. D. Brown: Yes Mr. President. I have an Ordinance to present for third and final reading.

Mr. D. Brown presented and called for the third and final reading Ordinance No. 13-031 entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING THE RESPONSIBILITIES AND  
DUTIES OF THE DIRECTOR OF HUMAN RESOURCES

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

AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING THE RESPONSIBILITIES  
AND DUTIES OF THE DIRECTOR OF HUMAN  
RESOURCES

Mr. D. Brown: Yes, Mr. President. This legislation amends Chapter 40 of the City Code, the City's Personnel Code, by requiring the director of Human Resources

or its designee to compile and maintain a referral registry to the City of Wilmington, known as the City Work Registry. This registry is to support residents of the city of Wilmington that were unsuccessful in obtaining employment through applying to positions that were advertised through the City of Wilmington.

President Gregory: Mr. Brown, is this your first Ordinance?

Mr. D. Brown: Yes sir.

President Gregory: You've done Resolutions, but this is your first Ordinance?

Mr. D. Brown: This is my first Ordinance.

President Gregory: Looking at the third Whereas clause where it says "the City desires to compile and maintain," shouldn't that read "the City shall" or "the City wants to", or "the City might", or you can flip a coin if the City decides to do it they can? But, I've got another question for you, before you answer that one. Going down to the fourth Whereas clause, there's a semicolon after the word "employment". Should that be a colon or a semicolon?

Mr. D. Brown: That should be a semicolon.

President Gregory: That should be a semicolon?

Mr. D. Brown: Yes.

President Gregory: Will you answer the first question, then?

Mr. D. Brown: It should be "desires."

President Gregory: It should be desires?

Mr. D. Brown: Yes.

President Gregory: Then it stays. Anybody else got any questions?  
Council Member Walsh, I know you got one for him.

Ms. Walsh: No, actually I didn't. I was going to ask if I could be a co-sponsor.

President Gregory: You want to be a co-sponsor?

Ms. Walsh: Sure.

Mrs. Seijo: So noted.

President Gregory: You're a co-sponsor.

Ms. Walsh: But only if he removes the semicolon.

President Gregory: Mr. Freel, Mr. Freel you don't have any questions for him?

Mr. Freel: You want me to ask some questions?

President Gregory: He needs that; he has to be able to defend his legislation.

Mr. Freel: Mr. Brown, how many employees per month are we talking about where we're going to have to send applications to the outside agencies?

Mr. D. Brown: The HR Department has informed us that they receive about 2,000 applications per year, so I would divide that by 12 on average and, I think you're better at math than I as the Finance Chair.

President Gregory: Would that go electronically, by carrier, by mail, email, how would it get there, by horse, buggy?

Mr. D. Brown: They, they would be sent by the HR director and the HR Department.

President Gregory: Will she ride a horse to get them there?

Mr. D. Brown: If that's her desire.

President Gregory: If that's her desire? Okay. Anybody else got any questions? Ms. Dorsey Walker.

Ms. Dorsey Walker: My question is a little more substantive.

President Gregory: All my questions have been substantive; Mr. Freel's, everybody's. Go ahead, we're ready.

Ms. Dorsey Walker: I was just wondering how would this tax the Department of Human Services, Human Resources? Have you had an opportunity to talk to the Director regarding the applicants?

President Gregory: When she says taxes, she talking, not talking about money, enabling money, she's talking about labor.

Mr. D. Brown: HR, the HR Department has not provided that information. They've had due time to do so and they have not.

President Gregory: Clerk call the roll. I'm sorry, Ms. Cabrera, Maria.

Ms. Cabrera: Yes, I have a question; my question was are we for this registry...

Ms. Walsh: Mr. President, I have a point of order.

Ms. Cabrera: Does the City look...

President Gregory: I messed up.

Ms. Walsh: Alright.

Ms. Cabrera: Does the City keep a registry of people who have applied for jobs, who are not selected, and when we have jobs coming up do we look to that registry first before we look outside? Do we look at that compilation? Do we keep something like that?

Mr. D. Brown: We did have this conversation at the committee meeting. That's a question that the HR Director could answer, but that doesn't speak to the actual Ordinance.

Ms. Cabrera: Ok.

Mr. Freel: Can I go ahead, Mr. President?

President Gregory: Yes.

Mr. Freel: Is that alright? We did discuss this at the meeting and if an employee is best qualified to make the Cert List, the application then is good for six months. So, if another position comes up where they're qualified, they can go ahead and request their application be submitted for that, also.

President Gregory: Clerk call the roll.

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the above Substitute 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member M. Brown. Total, one.

President Gregory: Declare it adopted.

Mr. D. Brown: Thank you Mr. President.

President Gregory: For your first piece of legislation.

Mr. D. Brown: Thank you.

Mr. D. Brown held Agenda No. 3856.

President Gregory: Thank you. Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 13-051 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington ("City") may acquire, hold, manage, and dispose of properties on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the City has acquired the properties listed on Exhibit "A", the Property List, a copy of which is attached hereto and made a part hereof (the "Properties"); and

**WHEREAS**, the Council of the City of Wilmington ("Council"), upon the recommendation of the Department of Real Estate and Housing of the City, hereby authorizes the City to dispose of the Properties, having been previously declared surplus, to the Wilmington Housing Partnership for homeownership development.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that Council authorizes and approves the disposition of the Properties to the Wilmington Housing Partnership for homeownership development.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the disposition of the Properties, including any and all further undertakings and assurances that may be appropriate.

Ms. Shabazz: Mr. President, this Resolution authorizes the City to dispose of 11 properties listed on Exhibit A to the Wilmington Housing Partnership to use for home ownership development. These properties is supported also by Councilman Brown and myself, because they're in his district as well. Representing East Side, would be part of the East Side RISE initiative and as you heard, one of our speakers today talked about the conditions of the properties throughout. Her property is in the East Side. This is an effort to bring some of those properties that are vacant as well as inclusive in the East Side RISE plan to address the poor conditions of the properties on the East Side.

President Gregory: Thank you. Mr. Brown.

Mr. D. Brown: Thank you Mr. President. I stand in support of this Resolution. This Resolution provides some needed and long awaited remedy and support to our East Side community here in the city of Wilmington that sits at the foot of our city center, and what this would do through authorize and the disposition of these properties will take many properties that are vacant and properties that are experience a lot of blight and allows us to turn those negatives into positives in creating livable neighborhoods. As Councilwoman Shabazz has worked for many years on this Council in creating a new East Side, and so I'm happy to be able to join her and working with her to do this and how we can look at revitalizing a neighborhood that we both hold very near and dear to us and create lifelong communities; communities that have desirable housing with a housing stock that no matter what income, or what age level you're at, there's a housing stock available for you that you could grow in. So, with that, thank you.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted. Mr. Prado.

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

Mr. Prado presented Resolution No. 13-052 as follows:

**WHEREAS**, the City of Wilmington ("City"), through its Department of Real Estate and Housing ("Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-022.20-359, which is located at 2700 Moore Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, Wells Fargo Bank, being the owner of the Property, is willing to accommodate the City's request to donate the Property to the City, to be rehabilitated by the Department, and to sell the property for homeownership.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** ("Council") that the Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby approves acceptance of the gift of the Property to the City by and from the current owner, Wells Fargo Bank, and authorizes the Mayor or his designee and the Department to take all actions necessary, including payment of any recording fees, to finalize the donation of the Property to the City.

Mr. Prado: This is a Resolution where Real Estate and Housing will accept a donation of 2700 Moore Street from Wells Fargo Bank.

President Gregory: Clerk will call the roll.

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

Mr. Prado held Agenda No. 3859.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Williams.

Mr. Williams: No legislative business. Thank you.

President Gregory: Mr. Freel.

Mr. Freel: Yes sir. I have two (2) Ordinances for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-024 entitled:

AN ORDINANCE TO IMPLEMENT THE WILMINGTON  
PENSION COMMISSION'S RECOMMENDATIONS  
PURSUANT TO CHAPTER 39 SECTION 6 OF THE  
WILMINGTON CITY CODE

Mr. Freel: Yes, Mr. President. As Council knows this Ordinance is the exact same Ordinance that we had before us in July that was held by the request of some of the City employees. Basically, the Pension Commission, by a vote of 7/6, recommended to this Council for a \$200,000 appropriation for the purpose of granting benefit increases to City of Wilmington retirees - a hundred thousand would go to

uniform, and then a hundred thousand to non-uniform. I am opposed; I was part of the Pension Commission. I opposed it then and I continue to oppose this cause I just don't feel we're in a position now to pass on these increases. Two hundred thousand this year is a commitment for the next 15 years to the tune of about \$3 million. It's difficult to do when on an average our pension fund is only 50 percent funded, and that is much lower than other levels of government here in the state of Delaware. At the end of the last meeting, as I was leaving, I spoke to a representative of one of the Unions and I tried to discuss the broader impacts of doing this increase, and his comment to me afterwards was: "Well Bud, that's, that's your problem. All I care about is my membership." And I understand that, that's his role. Our role on Council is we have to be responsible to pensioners, we have to be responsible to current City employees and we have to be responsible to the taxpayers, and I just don't think this is a move that we should take at this time to be increasing these pension benefits and increasing the debt in the city of Wilmington. That's all I have at this time. I'll try to answer any questions if there are any.

President: Mr. Williams.

Mr. Williams: Mr. President, I just have to reveal that as a recipient of a police pension, albeit a very small incremental position, I will not be voting on this, this evening. I'll have to abstain.

President Gregory: Ms. Walsh.

Ms. Walsh: Me? Did you say me?

President Gregory: Ms. Walsh.

Ms. Walsh: Thank you Mr. President. I'm actually voting no on this, this evening because I believe the dates are quite relevant. They're already passed, so I don't think this is just something that should be done because I'm viewing this as there's really nothing before me, so I'm voting no.

President Gregory: I, too, have to abstain because I receive a City pension from my previous 24 years on Council. As the President of Council my concern for my fiduciary obligations not only to the current employees but to future employees. So while I can't vote, I can have an opinion and I just think it's not a good piece of legislation for the city of Wilmington's future employees and it doesn't do enough for the current employees to really cause me to cause the City to have to spend about \$200,000 a year over the next ten years, or fifteen years I guess it would be, for a couple million dollars. Also, we are still, when we did this previously, we're still incurring costs from that. We did it, I think, in about 2006 or so and that hasn't been paid off yet, the monies that we put into the fund, so our unfunded liability is a challenge with respect to our pensions, but we're decent shape and that we stay afloat, but this causes me some concern. So, I will have to abstain. Yes?

Ms. Dorsey Walker: Mr. President, my concern is we received several emails, we on the Council received several emails from widow and widowers who stated that they're receiving \$5,120 and maybe 24 cents or something along those lines, and my question is what do we do to help them, to help supplement their income, for they've made the ultimate sacrifice and their spouse put their lives on the line for all of us.

President Gregory: You want me to answer that question?

Ms. Dorsey Walker: You or Mr. Freel, please. Councilman Freel.

Mr. Freel: You know, there's no doubt in my mind that there's probably individuals out there struggling that could use an increase. I can't sit here and tell you whether that's their only source of income. At one time, especially in the uniform, many policemen and firemen would retire and start a second career, and then there would also be social security. But once again, would I like to give them an increase? Sure, I would love to do it, but I just don't think it's the responsible thing to do at this time.

President Gregory: My answer to that would be have a fiduciary duty not only to current employees but the future employees and, you know, you have Detroit going bankrupt and you have cities up in Pennsylvania that have gone bankrupt and you have folk having to borrow from their pension funds, and we're an old northeast city, and we do a good job and we have to be fiscally responsible not only for today but for tomorrow, just as we manage our own homes, we have to manage City government. Mr. Wright.

Mr. Wright: Thank you Mr. President. Councilman Freel what is the average increase per person that they'll receive? Per pensioner, if you would.

Mr. Freel: I would not be able to answer that Mr. Wright because you have hundreds of employees who all retired at different periods of time, who were making different amounts in their pensions, so I don't know how that hundred thousand would be spread out, like for the non-uniform, how it would be spread out.

Mr. Wright: So, we don't have an average, you're saying?

Mr. Freel: I don't have the average, no.

President Gregory: There was some average floating around earlier in committee meetings, etc. I don't recall what the specifics were at this time.

Mr. Wright: I guess, if I can, I guess I was just trying to bring out, from what I recall, it was a small amount based on individual and then once it's taxed it's even less than that, so while I do understand Councilwoman Dorsey Walker's position, also, it's already been stated, my position is to, as you said, think about the greater good for the city as a whole would augment our financial situation currently and in the future as far as

the pension. So, unfortunately, while I do thank everyone for the efforts and work, I cannot support this either tonight. Thank you.

President Gregory: Mr. Congo:

Mr. Congo: Yes, thank you Mr. President. I guess I received a lot of the email that we all did. I guess the number is just, they become cloudy when you think about some of the numbers and the average benefits that a lot of the retirees are receiving, and I guess in my mind, at first you just see those numbers and you cringe, but then you think about the City's policy where someone can retire after five years. So, you know, it's really hard to you know, were they full-time employees that worked 20 and 30 years we see in those kinds of numbers or was it someone who only worked five years and then retired. So, I won't be able to support it just because I don't see where, there's not a lot of clarity in it, and we just have a policy where people can retire just after only a few years. But the numbers I would give them to is then when you think about someone retiring you think about someone's whose put in a lot of time with the city and that's not always the case, so I'm not going to support this tonight.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. I recall back in July when we brought this up prior that there was some discussion that revolved meeting with the Unions and discussing this further; did that meeting ever take place?

Mr. Freel: There was a discussion outside this chamber, right outside these doors, and one of the things that I had mentioned was that in the past, whenever there was an increase, it was a very clear plan on how those funds would be distributed. It might be weighted towards those people that had retired years ago as opposed to someone who retired five years ago. I was told that they would work on coming back with a plan. I explained then, just as I said tonight, that I still won't support it, but if you want to come forward with a plan, I have nothing against that. Alright? If there were any meetings, I don't know about them. If they had meetings among themselves, I don't know but that's what was discussed out of chambers.

Mr. Williams: Thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, I have to say I was, just a little surprised that this was coming up because I thought, I remember that same conversation that the reason that they tabled this so that we were going to wait was to be able to sit down, have conversations and see if we could come up with a modification where perhaps the people who gave us 20-plus years, many from so long ago who where one person was working and that was the City employee, be they a firefighter, policeman, or a City employee whose wives did not work, where these widows do depend on this little bit of income. The numbers don't seem fair when you look at those households and those people versus other folks who,

you're right, may have taken a second or third job, so that is my concern. I thought that somehow we were going to maybe look at this and modify this so we wouldn't be penalizing those people. The other thing that I look at is the cost of living has gone up, that these folks have not gotten an increase. You know, we the State is giving them a 3-to-1 match so there's funds out there that they could be making these additional funds to the small amount that they would be getting from the City. So, I just think that these folks have given us the ultimate sacrifice and that we should have found a better way to work this out and make some sacrifices on our end.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above Ordinance was read for the third and final time was **DEFEATED** by the following Yea and Nay Roll Call Vote: Yeas, Council Members D. Brown and Cabrera. Total, two. Nays, Council Members Chukwuocha, Congo, Shabazz, Prado, Dorsey Walker, Freel, Walsh, and Wright. Total, eight. Present, Council Member Williams and Council President Gregory. Total, two. Absent, Council Member M. Brown. Total, one.

President Gregory: Declare it defeated. Mr. Freel, do you have anything else?

Mr. Freel: There's one other for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-032 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WILMINGTON HOUSING PARTNERSHIP PROJECT) IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE THE CONSTRUCTION OR REHABILITATION OF HOUSING AND THE REFINANCING OF A PRIOR LOAN; AUTHORIZING A LOAN OF A PORTION OF THE PROCEEDS TO THE WILMINGTON HOUSING PARTNERSHIP CORPORATION; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

Mr. Freel: Yes, first Mr. President I would like to ask if we could add my Colleagues, Council Member Shabazz, Council Member Darius Brown and Council Member Mike Brown to this Ordinance.

President Gregory: Done.

Mrs. Seijo: So noted.

Mr. Freel: I'm going to be very brief. From the financial aspects, this is the third time that we've used this process to raise some funds for the Department of Real Estate and Housing, and Wilmington Housing Partner Corporation. It'll be a \$4 million obligation; we'll pay them back in about three years. The way we've done it in the past is we will fund the project, and let me give an example: Franklin Chase in the Hilltop, each time we sold a house we took proceeds from the sale and we paid back part of the loan. So, this one will basically work the same way. At this time, I want to defer to some of the district Council members where a lot of this work will be taking place.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. Yes, Mr. President, as Councilman had mentioned that we have done this before and there's numerous projects throughout the city that Wilmington Housing Partnership has taken blighted areas of the city and turned them into beautiful homes, and we've been able to sell the homes at the necessary repayable funding and we're looking forward to being able to take advantage of some of this to complete some of the things that we're talking about on the East Side in Councilman Brown's and my districts. So, I think this would be something that's great for the east side of the City of Wilmington. Again, it addresses some of the issues that the constituent mentioned during public comment and I hope that my colleagues would vote for support of this.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. This Ordinance provides some needed financing and how we look at creating neighborhood sustainability on the East Side, and so it has an existing record of being something that has worked in other areas and I look forward to it also helping us on the East Side. It also helps with rehabbing homes but also reduces the density on the East Side and in addition to what it would do on the East Side, I believe there's also funding that may be able to be used in other areas of the City of Wilmington.

President Gregory: Clerk will call the roll, please.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member M. Brown. Total, one.

President Gregory: Declare it adopted.

Mr. Freel: That's all I have Mr. President. Thank you.

President Gregory: Thank you. Ms. Cabrera.

Ms. Cabrera: I have nothing this evening. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: No, I held mine, thanks.

President Gregory: Mr. Wright.

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

### **PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed sympathies to the family of Mr. Pitts. Council Members made comments regarding the following matters: the need for mentors; September as Hunger Action Month; the need for city departments to do a better job at coordinating or assisting with events around the city; zero tolerance (crime); the appointment of new Public Works Deputy Director; incident that occurred in the 6<sup>th</sup> District (Kosciuszko Park); parking issues and including but not limited to the need of everyone using caution when driving as school is back in session.

Mr. Prado presented the following communication into the record:

September 5, 2013

The Honorable Thomas Carper  
United States Senate  
Washington, D.C.

The Honorable Christopher Coons  
United States Senate  
Washington, D.C.

The Honorable John Carney  
United States House of Representatives  
Washington, D.C.

Dear Senators Carper and Coons and Representative Carney:

I am deeply, deeply troubled by the prospect of the United States taking military action in Syria. I urge you to vote against the use of U.S. military force on the nation of Syria which is involved in a civil war with no end in sight.

If I thought for a moment that the use of U.S. missiles or drones would reduce the suffering of the Syrian people, curb President Assad's use of chemical weapons or end his tyrannical reign and allow the Syrian people to live in peace, I would urge that our nation take immediate action.

You and I know that a military operation in Syria could have devastating consequences for the many ethnically and religiously diverse minorities that make up the Syrian population. Those who know about the internal crisis in Syria and about the history of Syria realize that the current conflict involves immoral and irresponsible players who cannot be trusted to help bring peace to their own country let alone promote peace throughout the world.

There is no clear objective for the United States to take action in Syria where more than 100,000 people have been slaughtered and where more than two million people, half of them children, have fled to neighboring countries. Unfortunately, the next crisis in this region will involve these refugees who will soon be rejected by the countries to which they are fleeing. Instead of attacking militarily in Syria, the United States should assist the refugees and help them not become casualties of war.

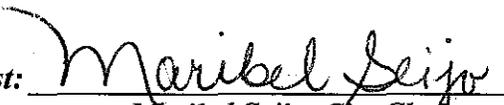
Most importantly, I strongly urge you to concentrate on the many problems that plague our great City, our great State and our great country. Urban crime, poverty, failing schools and substandard infrastructure are but a few of the issues that our President and our congressional representatives should address in a more forceful way.

I don't know how to say this without sounding cruel toward those suffering in Syria. But, while I care about what is happening in Syria, I care more about my community and the needs of my people. Fix our country first, before engaging in another conflict that poses no threat to Americans or American interests.

Sincerely,  
/s/Samuel Prado

#### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Ms. Shabazz/Mr. Freel,  
Council adjourned at 7:56 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
September 19, 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, and Council President Gregory. Total, twelve. Absent, Council Member Wright. Total, one.

President Gregory recognized former Council President Theodore Blunt who was seated in the audience.

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

### **MINUTES**

After reading a portion of the minutes of September 5, 2013, upon a motion of Ms. Walsh, seconded by Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Ms. Shabazz presented the following three-committee reports:

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

September 12, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 13-029** entitled:

**AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CONTRACT 13042FDPS – AMBULANCE SERVICE FOR  
CITY OF WILMINGTON WITH ST. FRANCIS HOSPITAL**

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

Respectfully submitted, Members of  
Public Safety Committee  
/s/Michael a. Brown, Sr., Chair  
/s/Loretta Walsh  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

**Note:** Although Councilman Congo was present at the committee meeting, he left out prior to the aforementioned ordinance being voted out of committee and therefore his signature is not reflected above.

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

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

September 12, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 13-030** entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF CONTRACT 13001PDPSR – PROFESSIONAL SERVICES FOR BUILDING MANAGEMENT AT PUBLIC SAFETY BUILDING WITH ASSET MANAGEMENT ALLIANCE

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

Respectfully submitted, Members of  
Public Safety Committee  
/s/Michael a. Brown, Sr., Chair  
/s/Loretta Walsh  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio

**Note:** Although Councilman Congo was present at the committee meeting, he left out prior to the aforementioned ordinance being voted out of committee and therefore his signature is not reflected above.

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

<u>Education, Youth &amp; Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.			X
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II	X		
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

September 16, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 4:30 p.m., Chairman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Update on H.B. DuPont Middle School by Dr. Terrence Newton
- Resolution creating the Poet Laureate

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

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

**TREASURER'S REPORT**

The following Treasurer's Report dated September 19, 2013 was read into the record by the Deputy City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON September 19, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 1,937.39
106	Fire Pension Account	M & T Bank	\$ 1,103.32
107	Evidence/Found Currency Account	M & T Bank	\$ 145,071.75
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 21,714.03
117	Cement Workers	Wilmington Savings Fund	\$ 33,359.20
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,566.79
130	Payroll	M & T Bank	\$ 170,381.41
131	Pension Payroll Account	M & T Bank	\$ 6,570.27
139	Pension Healthcare Account	M & T Bank	\$ <u>4,371.55</u>
	Total Cash on Hand		\$ <b>409,776.85</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	09/19/13	0.01%	\$ 2.02	\$ 7,356,337.00
116	General	WSFS	CD	09/20/13	0.30%	\$ 1,093.15	\$ 1,900,000.00
110	Capital <sup>3</sup>	TD	CD	09/23/13	0.25%	\$ 738.45	\$ 1,540,195.00
105	Police Pension	WSFS	CD	09/26/13	0.30%	\$ 117.37	\$ 510,000.00
106	Fire Pension	WSFS	CD	09/26/13	0.30%	\$ 491.34	\$ 2,135,000.00
124	Non-Uniform 1990	WSFS	CD	09/26/13	0.30%	\$ 1,140.33	\$ 4,955,000.00
110	Capital <sup>2</sup>	TD	CD	09/27/13	0.25%	\$ 46.15	\$ 240,632.60
116	General	WSFS	CD	09/30/13	0.30%	\$ 1,627.39	\$ 3,000,000.00
116	General	WSFS	CD	10/04/13	0.30%	\$ 1,150.68	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	10/07/13	0.25%	\$ 5,974.37	\$ 14,537,615.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,481,719.00
104	Escrow Pension	Vanguard					\$ 19,314,180.00
104	Escrow Pension	Black Rock					\$ 52,321,987.00
104	Escrow Pension	Edgar Lomax					\$ 28,363,524.00
104	Escrow Pension	Wilmington Trust					\$ 34,591,064.00
104	Escrow Pension	Manning & Napier					\$ 20,483,750.00
104	Escrow Pension	Earnest Partners					\$ 12,473,916.00
104	Escrow Pension	GMO					\$ 10,798,453.00
139	Medical Escrow	Black Rock-OPEB					\$ 10,919,021.00
116	MassMutual	Deferred Comp.					\$ 35,570,771.00
	Total Investments						\$ 329,060,715.70
	Total Cash on Hand						\$ 409,776.85
	Grand Total						\$ 329,470,492.55

<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 and motion prevailed:

All Council	Day of Remembrance for murdered victims
D. Brown	Recognize Hunger Action Month
D. Brown	Recognize National Recovery Month
Chukwuocha/Wright	Sympathy Serita Wilkins
Shabazz	Recognize UGundi Jacobs' Before and After Entertainment Group
Williams	Support "It Can Wait" Program
Wright/D. Brown	Recognize Mount Sinai Missionary Baptist Church

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

## LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha, legislative business.

Mr. Chukwuocha: Yes, Mr. President. I have a resolution to present.

Mr. Chukwuocha presented Resolution No. 13-053 as follows:

**WHEREAS**, it is fitting that the City of Wilmington recognizes and honors the contributions poets have made to our culture and literature; and

**WHEREAS**, the City of Wilmington shall officially designate the City's first Poet Laureate; and

**WHEREAS**, the Poet Laureate shall be a voice promoting the importance of poetry and the literary arts; and

**WHEREAS**, this person shall operate under the auspices of the City's Office of Communications and Cultural Affairs and City Council's Education, Youth & Families Committee; and

**WHEREAS**, there shall be an Advisory Committee consisting of seven (7) persons, as follows:

- a. Communication & Cultural Affairs Director
- b. Chair of the Council Education, Youth & Families Committee
- c. Academia Representative (Appointed by the Mayor)
- d. Professional Poet (Appointed by President of Council)
- e. Two Youth Representatives under 18 years of age (one each appointed by the Mayor and the President of City Council)
- f. One Adult Representative (Appointed by the Mayor)

**WHEREAS**, the Committee shall provide advisory oversight and shall recommend the Poet Laureate to the Mayor and President of City Council. The Mayor shall appoint the Poet Laureate for a two (2) year period. The Poet Laureate shall receive a modest stipend which shall be provided from the City Council budget; and

**WHEREAS**, the Committee shall promulgate rules, regulations and protocols necessary to carry out the mission, obligations and duties of the Poet Laureate.

**NOW, THEREFORE, BE IT RESOLVED, THAT COUNCIL OF THE CITY OF WILMINGTON** hereby officially designates the City of Wilmington's Poet Laureate to further enrich the City's cultural heritage through literary arts.

Mr. Chukwuocha: Yes, Mr. President. This Resolution is to create the Poet Laureate for the City of Wilmington. The Poet Laureate will be an educated and advocator for poetry in the literary art form. And it will as mentioned stand between the Cultural Affairs Department also the Education Youth and Families Committee and just this will be a true testament to literary arts and advancement of arts in this society. In our City as you know Mr. President I myself am a poet and author and I see the power of art every single day in my life and I know how the power of words and poetry can transform lives and individuals. Just as social workers and teachers and minister's play a role in the empowered process of others some good artist and poets. So, I believe that this position would be very prominent and will be very helpful to our city as we move forward to transform individuals in our community through the use of the arts. I am thankful for my colleagues for the early support and I pray that we can move forward and ask for their support to pass this resolution this evening.

President Gregory: Mr. Brown.

Mr. M. Brown: Mr. President I'd like to be added please.

Ms. Owens (Deputy Clerk): So noted.

President Gregory: Williams.

Mr. Williams: Likewise Mr. President, I'd like to be added as a co-sponsor.

President Gregory: So noted. Ms. Shabazz.

Ms. Shabazz: Yes, Mr. President. I did ask at the committee meeting to be added. But I just want to congratulate my colleague for bringing this to light to us because I know this is going to be one of the issues, solutions to helping our young people. They have a way of expressing themselves as you know there is a major communication gap and poetry is a tool that allows our young people to express themselves about what they're feeling what their needs are. So, having someone to be able to advocate for them and give opportunity to express themselves I am very, very supportive of this and congratulation again for bringing this to us.

President Gregory: Ms. Walsh.

Ms. Walsh: Yes, added please.

President Gregory: So noted. Mr. Brown.

Mr. D. Brown: Thank you Mr. President. I'd like to be added.

President Gregory: So noted. We won't treat this as an ordinance we'll treat it as a resolution so we are not going to mess with you tonight. Clerk call the roll.

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

President Gregory: Declare it adopted. Mr. Congo.

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

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. Nothing tonight.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Nothing tonight Mr. President. Thank you.

President Gregory: Mr. Prado.

Mr. Prado presented and called for the first and second reading Ordinance No. 13-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF "THE INTERNATIONAL CODE COUNCIL OF 2012", THE INTERNATIONAL BUILDING AND RESIDENTIAL CODE AND AMENDMENTS TO BE SET FORTH IN CHAPTER 4 OF THE CITY CODE AS THE CITY'S BUILDING, MECHANICAL AND PLUMBING CODES

This Ordinance was given two separate readings by title only and upon a motion of Mr. Prado, seconded by Ms. Walsh/Mr. Williams, was received, recorded, and referred to the Housing and Licenses & Inspections Committee. Motion prevailed.

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

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

President Gregory: Mr. Freel.

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

Mr. Freel presented and called for first and second reading Ordinance No. 13-035 entitled:

AN ORDINANCE TO AMEND THE CAPITAL IMPROVEMENTS PROGRAM FOR THE SIX FISCAL YEARS 2014-2019 BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-011

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

Mr. Freel presented and called for first and second reading Ordinance No. 13-036 entitled:

AN ORDINANCE TO AMEND THE CAPITAL BUDGET FOR FISCAL YEAR 2014 BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-012

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

President Gregory: Mr. Brown.

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

Mr. M. Brown presented and called for the third and final reading  
Ordinance No. 13-029 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CONTRACT 13042FDPS – AMBULANCE SERVICE FOR  
CITY OF WILMINGTON WITH ST. FRANCIS HOSPITAL

Mr. M. Brown: Yes, Mr. President. This ordinance authorizes the City to extend a contract to the Ambulance Service for the City of Wilmington with the St. Francis Hospital for two possible renewal periods. One year each at no cost to the City. Please be advised the maximum out-of-pocket cost to the users which is the residents of the emergency ambulance services will be \$250.00 for base service including oxygen.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Discussed in the committee meeting there are reports that are available and we requested those reports if and when they become available on a monthly basis as to whether there was a delay in service, etc.

President Gregory: Thank you. Clerk call the roll.

Upon a motion of Mr. M. Brown, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Wright. Total, one.

\*\*\*Note: Prior to the tally of the above vote, President Gregory requested that Ms. Cabrera be marked present and is reflected herein in the minutes (Roll Call) and also was allowed to cast her vote on the aforementioned Ordinance.

President Gregory: Declare it adopted. Mr. Brown.

Mr. M. Brown: Yes Mr. President. I have another Ordinance to present for third and final.

Mr. M. Brown presented and called for the third and final reading  
Ordinance No. 13-030 entitled:

AN ORDINANCE TO AUTHORIZE THE EXTENSION OF  
CONTRACT 13001PDPSR – PROFESSIONAL SERVICES FOR  
BUILDING MANAGEMENT AT PUBLIC SAFETY BUILDING  
WITH ASSET MANAGEMENT ALLIANCE

Mr. M. Brown: Mr. President and to Council Members this ordinance authorizes the extension of Contract of Professional Services for building management at the Public Safety Building between the City and Asset Management Alliance for a period of one year at a cost of \$263,298.56 with two possible renewal periods of one year each upon the same terms and conditions.

President Gregory: Clerk call the roll.

Upon a motion of Mr. M. Brown, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Wright. Total, one.

President Gregory: Declare it adopted. Mr. Brown.

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

Mr. M. Brown presented Resolution No. 13-054 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending Section 2-363 of the City Code, the Council of the City of Wilmington ("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 shall 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 Fund to Combat Violent Crime in the amount of \$273,914.65; and

**WHEREAS**, the said grant will be applied toward salaries for crime analysis overtime (\$208,093.65) and youth curfew center overtime (\$65,821.00); and

**WHEREAS**, the said grant does not require a local match; and

**WHEREAS**, for timing purposes, the grant application had to be submitted prior to Council approval; and

**WHEREAS**, even though the application for said grant has been submitted, the WPD must still take the affirmative step of accepting the funding should it be a successful applicant; and

**WHEREAS**, Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grant from the State of Delaware Fund to Combat Violent Crime, in the amount of \$273,914.65, for the aforesaid purpose.

**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 Fund to Combat Violent Crime in the amount of two hundred and seventy-three thousand, nine hundred and fourteen dollars and sixty five cents (\$273,914.65).

Mr. M. Brown: Yes, Mr. President. This resolution is being presented by the administration for City Council's review and approval. If approved, Council would be authorizing the City Police Department to accept a \$273,914.65 grant from the State of Delaware to be used for enhanced crime analysis and for overtime for staffing at the City's youth curfew center located at the Walnut Street YMCA. The grant does not require the City to provide any matching funds.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. As discussed in the meeting the crime analysis will be done prior to and then the overtime will be to support the officers to go out based on that analysis.

Mr. M. Brown: That is correct.

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

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh/Mr. Williams, the aforementioned Resolution was 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, twelve. Nays, none. Absent, Council Member Wright. Total, one.

*Note: As stated at the October 3<sup>rd</sup> Council meeting, during the approval of minutes of the previous meeting (i.e. Sept. 19<sup>th</sup>) correction is hereby noted and reflected in the minutes for Resolution No. 13-054 that although the tally of the vote was stated 12 Yeas and 1 Absent, let the record reflect that Councilman Michael Brown was inadvertently not called but is duly noted as being present at the meeting during the time of the vote for the aforementioned Resolution.*

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: No business this evening. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation, thank you.

President Gregory: We're going to go to Petitions and Communications in reversed order.

### PETITIONS AND COMMUNICATIONS

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed sympathies to the family of Mr. DeJesus. It was duly stated that there has been a policy change for the use of P.S. Dupont School's track/facility during school hours due to security/safety. Concerns were expressed of the shootings that occurred over the weekend. Concerns and comments were expressed regarding services provided by the City to a for-profit entity. A breakdown of services provided by the City was requested of all events that occurred the weekend of September 14<sup>th</sup> and it was duly stated that a meeting would take place on September 30<sup>th</sup> at 5:00 p.m. to address some of those concerns. Council Members expressed their thanks to various city departments and individuals throughout their districts. A request was made of anyone interested in assisting an elderly resident with minor repairs to her home to contact Mr. Williams at 893-6906. Council Members were encouraged to participate and become a Big Brother/Big Sister.

### ADJOURNMENT

Upon a motion of Mr. M. Brown, seconded by Mr. Williams, Council adjourned at 7:55 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

**Louis L. Redding**  
**City/County Building**  
**October 3, 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, and Wright\*, and Council President Gregory. Total, thirteen.

### **MINUTES**

After reading a portion of the minutes of September 19, 2013 *as amended*, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as amended and written. Motion prevailed.

*Note: During the approval of minutes of the previous meeting (i.e. Sept. 19<sup>th</sup> referenced above herein) correction is hereby noted as amended and reflected in the minutes for Resolution No. 13-054 (approved Sept. 19<sup>th</sup> Council meeting) that although the tally of the vote was stated 12 Yeas and 1 Absent, let the record reflect that Councilman Michael Brown was inadvertently not called but is duly noted as being present at the meeting during the time of the vote for the aforementioned Resolution.*

### **REPORT OF COMMITTEES**

Ms. Shabazz presented the following committee report:

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

September 18, 2013

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. 13-028** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 13080PWPS -  
INTELLIGENT SINGLE-SPACE PARKING METER TECHNOLOGY  
WITH DUNCAN PARKING TECHNOLOGIES, 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/Michael A. Brown, Sr.  
/s/Nnamdi O. Chukwuocha  
/a/Robert A. Williams

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

Mr. Williams presented the following committee report:

<u>Health, Aging &amp; Disabilities Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Robert A. Williams	X		
Darius J. Brown		X	
Charles M. "Bud" Freel			X
Sherry Dorsey Walker	X		
Justen A. Wright	X		

September 25, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Health, Aging & Disabilities Committee, met on the above date at  
5:00 p.m., Chairman Robert A. Williams presiding. The following items were discussed:

- A Presentation on the Health Insurance Marketplace in Delaware "choose Health website" by the Division of Health and Social Services

- A presentation on Delaware 1st State Senior Task Force by Carolyn Peak
- A presentation on Extension for Community Healthcare Outcomes (Pain management) by the Division of Health and Social Services

Respectfully submitted, Members of  
Health, Aging & Disabilities Committee  
/s/Robert A. Williams, Chair  
/s/Sherry Dorsey Walker

**Note:** Although Councilman Wright was present at the committee meeting, his signature was inadvertently missed and therefore not reflected above. In addition, the items referenced in the aforementioned committee report did not require to be voted out of committee.

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

Mr. Freel presented the following committee report:

<u>Committee of the Whole</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Ernest "Trippi" Congo, II	X		
Darius J. Brown	X		
Hanifa G.N. Shabazz	X		
Samuel Prado	X		
Sherry Dorsey Walker	X		
Robert A. Williams		X	
Charles M. Freel	X		
Michael A. Brown, Sr.	X		
Maria D. Cabrera	X		
Loretta Walsh	X		
Justen A. Wright	X		

September 30, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Committee of the Whole, met on the above date at 5:00 p.m., Theopolis K. Gregory, Sr. presiding. The following items were discussed:

- Discuss and Review Council's Inquiry for City Special Events for the Weekend of September 14, 2013:
  1. Fox Tail Fest
  2. Hispanic Festival
  3. Other Special Events

/s/Nnamdi O. Chukwuocha  
 /s/Darius J. Brown  
 /s/Hanifa Shabazz  
 /s/Samuel Prado  
 /s/Sherry Dorsey Walker

Respectfully submitted,  
 /s/Charles M. Freel  
 /s/Michael A. Brown, Sr.  
 /s/Maria D. Cabrera

/s/Theopalis K. Gregory, President

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

**Note:** Although all Members of Council were present at the committee meeting except Councilman Williams, signatures were inadvertently missed for Council Members Congo, Walsh and Wright and therefore not reflected above. In addition, the items referenced in the aforementioned committee report did not require to be voted out of committee.

**\*Note:** At this time, Councilman Wright was marked present and reflected herein in the minutes (Roll Call).

### TREASURER'S REPORT

The following Treasurer's Report dated October 3, 2013 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Ms. Shabazz, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON October 3, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 2,866.05
106	Fire Pension Account	M & T Bank	\$ 2,520.24
107	Evidence/Found Currency Account	M & T Bank	\$ 144,571.70
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 33,713.14
117	Cement Workers	Wilmington Savings	\$ 33,359.20
118	Worker's Comp. 3 <sup>rd</sup> Party Account	Fund	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 22,874.95
130	Payroll	M & T Bank	\$ 162,709.15
131	Pension Payroll Account	M & T Bank	\$ 116,715.84
139	Pension Healthcare Account	M & T Bank	\$ 924.66
	Total Cash on Hand	M & T Bank	\$ 542,956.07

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	10/03/13	0.01%	\$ 2.10	\$ 7,634,299.00
116	General	WSFS	CD	10/04/13	0.30%	\$ 1,150.68	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	10/07/13	0.25%	\$ 5,974.37	\$ 14,537,615.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 437.26	\$ 1,900,000.00
105	Police Pension	WSFS	CD	10/29/13	0.30%	\$ 88.11	\$ 335,000.00
106	Fire Pension	WSFS	CD	10/29/13	0.30%	\$ 449.75	\$ 1,710,000.00
124	Non-Uniform 1990	WSFS	CD	10/29/13	0.30%	\$ 1,375.56	\$ 5,230,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	11/01/13	0.25%	\$ 57.70	\$ 240,678.75
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
110	Capital <sup>3</sup>	TD	CD	12/03/13	0.25%	\$ 749.00	\$ 1,540,195.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,505,081.00
104	Escrow Pension	Vanguard					\$ 19,314,180.00
104	Escrow Pension	Black Rock					\$ 52,321,987.00
104	Escrow Pension	Edgar Lomax					\$ 28,363,524.00
104	Escrow Pension	Wilmington Trust					\$ 34,591,064.00
104	Escrow Pension	Manning & Napier					\$ 20,483,750.00
104	Escrow Pension	Earnest Partners					\$ 12,473,916.00
104	Escrow Pension	GMO					\$ 10,798,453.00
139	Medical Escrow	Black Rock-OPEB					\$ 10,919,021.00
116	Deferred Comp.	MassMutual					\$ 35,463,380.00
	Total Investments						\$ 327,929,694.85
	Total Cash on Hand						\$ 542,956.07
	Grand Total						\$ 328,472,650.92

<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. Shabazz, the following non-legislative resolutions were accepted into the record and motion prevailed:

- |                    |   |
|--------------------|---|
| D. Brown           | Sympathy Emma M. Williams   |
| M. Brown/D. Brown  | Sympathy James Leroy Thomas, Jr.  |
| Cabrera            | Sympathy Deborah Murphy Sloan   |
| Chukwuocha/Gregory | Recognize Our Time Inc. – Annual Life Line Speaker Series                       |
| Dorsey Walker      | Best Wishes Olivia Johnson – 102 <sup>nd</sup> Birthday                         |
| Shabazz            | Recognize U’Gundi Jacobs – Before & After Entertainment                         |
| Shabazz            | Congratulate Sparks Champion Basketball Team                                    |
| Shabazz            | Sympathy Carmen Marie Ross  |
| Williams           | The National Alliance on Mental Illness Delaware - 30 <sup>th</sup> Anniversary |
| Williams           | One Corner At A Time  |

**\*\*Note:** During the Non-Legislative Business, Councilman Congo was marked present and reflected herein in the minutes (Roll Call).

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you sir.

President Gregory: Mr. Congo.

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

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-055 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (“City”) may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the property owner, the Department of Real Estate and Housing of the City (“Department”), has determined that the City no longer needs the property located at 2300 Carter Street, Wilmington, Delaware (“Property”), and has therefore offered to transfer the Property to Harriet Tubman Safe House for use as a side yard; and

**WHEREAS**, the Property, also known as Parcel Number 26-022.40-322;  
and

**WHEREAS**, the Council of the City of Wilmington ("Council"), upon the recommendation of the Department, hereby authorizes the City to dispose of the Property to Harriet Tubman Safe House.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that Council authorizes and approves the disposition of 2300 Carter Street, Parcel Number 26-022.40-322 from the City to Harriet Tubman Safe House for use as a side yard.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the purchase of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. D. Brown: Yes Mr. President. This Resolution is in support of the efforts we're making in the 3<sup>rd</sup> Council District to create livable neighborhoods and life-long communities. This Resolution speaks to authorizing the City to dispose of the property located at 2300 Carter Street to Harriet Tubman Safe House, which is an organization that has been in the district for a few years and it's done great work in helping us build better neighborhoods in the northeast area of Wilmington.

President Gregory: Clerk will call the roll please.

Upon a motion of Mr. D. Brown, seconded by Mr. Prado, 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 Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

Mr. D. Brown: Mr. President, I have another Resolution to present.

Mr. D. Brown presented Resolution No. 13-056 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) § 8-205, a department, board or commission of the City of Wilmington (the "City") shall not sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate without advertised public notice appearing in at least one daily newspaper of citywide distribution and authority by general ordinance and later resolution from Council so to do; and

**WHEREAS**, Wilm. C. § 2-622(1) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Real Estate and Housing Department (the "Department"); and

**WHEREAS**, the City is legal owner of the property located at 608 Vandever Avenue, Wilmington, Delaware, being Tax Parcel Number 26-029.40-025 ("Property"); and

**WHEREAS**, a request for proposals was issued by the Department in accordance with the procedures set forth in Wilm. C. § 2-622 through § 2-624; and

**WHEREAS**, the proposals were advertised on July 2, 2013, and again on July 9, 2013; and

**WHEREAS**, a proposal in the amount of \$3,000.00 was received from Ms. Kywana Bost, the adjoining neighbor to the Property, and she proposes to use the Property as a side yard; and

**WHEREAS**, the proposal is to be paid \$1,000.00 down at the time of settlement and the remaining \$2,000.00 to be kept as a lien on the Property and come due for payment in two (2) years; and

**WHEREAS**, in accordance with the recommendation of the Department, the City desires that the Property be awarded to Ms. Kywana Bost for \$3,000.00 in accordance with the procedures set forth in Wilm. C. § 2-622 through § 2-624.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby authorizes the disposition, sale, transfer and conveyance of the property located at 608 Vandever Avenue, Wilmington, Delaware, being Tax Parcel Number 26-029.40-025, to Ms. Kywana Bost for \$3,000.00.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the transfer of the property, including any and all undertakings and assurances heretofore.

Mr. D. Brown: Yes Mr. President. This Resolution authorizes the City of Wilmington to dispose of the property located at 608 Vandever Avenue to Ms. Kywana Bost. She will be paying \$3,000.00 for the side yard to an adjacent property. This is an effort for us to reduce blight particularly on Vandever Avenue, which is a main thoroughfare that connects US Federal Roadway 13 on Market Street and alternate US Federal Roadway 13, which is Governor Printz.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. D. Brown: Mr. President, I have another Resolution to present.

Mr. D. Brown presented Resolution No. 13-057 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (the "City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the City, through its Department of Real Estate and Housing (the "Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-029.20-291 being located at 617 East 22nd Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, US Bank National Association Trustee, being the current legal owner of the Property, has agreed to donate the Property to the City and to provide a \$4,000.00 contribution to the City to assist the Department to rehabilitate the Property and sell for homeownership.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** (the "Council") that Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby authorizes and approves the acceptance of the Property by the City from the current owner, US Bank National Association Trustee, and authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the acceptance of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. D. Brown: Yes Mr. President. This Resolution authorizes the City's Department of Real Estate and Housing to accept the donation of 617 E. 22<sup>nd</sup> Street from the US Bank National Association Trustee and accompanying \$4,000.00 grant from the US Bank National Association Trustee for the rehabilitation and sell of the property for homeownership. So, I want to stress this is a project to promote homeownership and not rental and help stabilize the 600 block of E. 22<sup>nd</sup> Street in the 3<sup>rd</sup> District.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-028 entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 13080PWPS - INTELLIGENT SINGLE-SPACE PARKING METER TECHNOLOGY WITH DUNCAN PARKING TECHNOLOGIES, INC.

Ms. Shabazz: Mr. President, this Ordinance authorizes the City to enter into a one year contract with Duncan Parking Technologies, Inc., totaling \$179,340.00 for the purchase and installations of two hundred smart or intelligent single-space parking meters. The new parking meters will provide the citizens a variety of flexible payment options such as using your credit card or use your mobile phone apps. It also enables the City to monitor the real time use operations and maintenance of all the parking meters. This was vented through a committee of five, which I was one of those members of the committee to vent out the four proposals that responded to the RFP that we put out. It also was another one of the initiatives that came out of the parking submit that we did back in 2007. Duncan Parking was the most successful vendor that met all the parts of the RFP. The one thing about this contract did allows us is to purchase the additional meters as we expand the program at the same price for the next five years. I think this is going to be very innovative thing for us too - - move forward and invest in the parking issues in our city.

President Gregory: Mr. Williams.

Mr. Williams: Yes Mr. President. During the committee meeting we discussed the fact that there's no true retro fitting. These things will fit on existing structure. So, that does save us some time and effort there with maintenance. The other thing I was very impressed about, the meter will let you know when it's malfunctioning. It will send out a radio signal and let us know. One other thing that I was very fond of was there are no piggybacking. So, you can't vacate a space and then jump back in. As soon as you vacate the space, it will recognize you're gone. It will zero the meter out and start all over again. So, it's a very smart move for the City of Wilmington to go in this direction.

President Gregory: Mr. Wright.

Mr. Wright: I'm good. I'm okay, thank you. I'm alright, thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. Is this the same vendor that provides the meters at the Riverfront?

Ms. Shabazz: Excuse me.

President Gregory: He wants to know if this is the same vendor that provides the meters at the Riverfront.

Ms. Shabazz: I'm not sure if it's the same - - the kiosks formation you mean?

President Gregory: No.

Ms. Shabazz: No. I don't think so.

President Gregory: The answer is no.

Mr. D. Brown: Under the terms of the contract, the variable cost is it...I know it's at \$24,000 post the first year, could that exceed \$24,000 and is there a ceiling to that variable cost?

President Gregory/Ms. Shabazz: No.

President Gregory: No.

Mr. D. Brown: Okay. Lastly, prime time - - prime downtown location, I'm assuming that's wholly the 4<sup>th</sup> District. Is there - - could you tell me the boundaries for that?

Ms. Shabazz: My understanding that this is pilot of it. For the first two hundred would be in the heavily populated downtown area first. It is pilot.

Mr. D. Brown: What would be the boundaries?

Ms. Shabazz: I don't know that exactly. I believe Public Works Transportation is still researching exactly where they will be.

Mr. D. Brown: Okay.

President Gregory: Clerk will call the roll please.

Upon a motion of Ms. Shabazz, seconded by Mr. Freel, this 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, Congo, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, eleven. Nays, Council Member D. Brown. Total, one. Absent, Council Member Walsh. Total, one.

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

President Gregory: Declare it adopted.

Mrs. Seijo: Thank you.

Ms. Shabazz presented Resolution No. 13-058 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 when necessary, prior to Council's resolution; and

**WHEREAS**, the City, through the Department of Public Works, seeks to obtain grant funding from the State of Delaware through a Surface Water Matching Planning Grant in the amount of \$50,000.00 for the development and implementation of a surface water improvement project to include planning and modeling within the South Wilmington Wetlands by utilizing surface water, wetland treatment and storage facility; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Wilmington Department of Public Works to submit the aforesaid application for funding for the aforesaid purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Public Works, is hereby authorized to apply for grant funding from the State of Delaware through a Surface Water Matching Planning Grant in the amount of \$50,000.00 for the development and implementation of a surface water improvement project to include planning and modeling within the South Wilmington Wetlands by utilizing surface water, wetland treatment and storage facility.

**BE IT FURTHER RESOLVED** that the Commissioner of Public Works, or his designee, shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, and, if and when the grant is forthcoming, to administer the grant and the grant program for the City of Wilmington.

Ms. Shabazz: This Resolution Mr. President authorizes us the Department of Public Works to apply for a \$50,000.00 State of Delaware grant for planning and modeling of Surface Water Improvements Project related to the South Wilmington Wetlands project which we approved at our previous Council meeting. The City will be required to provide a fifty percent match if we are successful in obtaining this grant.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted.

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

Ms. Shabazz presented Resolution No. 13-059 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 when necessary, prior to Council's resolution; and

**WHEREAS**, the City, through the Department of Public Works, seeks to accept grant funding from the Dupont-Chichester Foundation through The Nature Conservancy of the State of Delaware in the amount of \$20,000.00 for the acquisition of property to create the South Wilmington Wetlands and to permanently conserve the property; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Wilmington Department of Public Works to submit the aforesaid application for funding for the aforesaid purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Public Works, is hereby authorized to accept grant funding from the Dupont-Chichester Foundation through The Nature Conservancy of the State of Delaware in the amount of \$20,000.00 for the acquisition of property to create the South Wilmington Wetlands and to permanently conserve the property.

**BE IT FURTHER RESOLVED** that the Commissioner of Public Works, or his designee, shall be authorized to take all necessary actions to accept the grant funding, including all undertakings and assurances taken heretofore, and, if and when the grant is forthcoming, to administer the grant and the grant program for the City of Wilmington.

Ms. Shabazz: This Resolution also authorizes the Department of Public Works to accept grant funding from the Dupont-Chichester Foundation through The Nature Conservancy of the State of Delaware for the acquisition of property to create the South Wilmington Wetlands. There's no matching funds.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted.

Ms. Shabazz: That's all for tonight Mr. President.

President Gregory: Mr. Prado.

Mr. Prado: Mr. President, I have a Resolution to present.

Mr. Prado presented Resolution No. 13-060 as follows:

**WHEREAS**, the City of Wilmington ("City"), through its Department of Real Estate and Housing ("Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-034.30-249, which is located at 117 North Harrison Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, Wells Fargo Bank, being the owner of the Property, is willing to accommodate the City's request to donate the Property to the City.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby approves acceptance of the gift of the Property to the City by and from its current owner, Wells Fargo Bank, and authorizes the Mayor or his designee and the Department to take all actions necessary, including the payment of any recording fees, to finalize the donation of the Property to the City.

Mr. Prado: Yes, this is a donation from Wells Fargo. It's a property at 2<sup>nd</sup> and Harrison. It's been a problem property in the past and it will be donated to Real Estate and Housing so I'm very pleased about this and I support it all the way and hopefully everybody else will.

President Gregory: I guess everyone knows these properties that come through Bank of America and Wells Fargo; we don't seek the house out. Those banks come to us and say they have property in their inventory and invite us to take it and normally it's associated with some monies to help fix the property up but it's not a lot of money. I say that to district Councilpersons in particular to let you know that they come to us. We don't go to them. Clerk will call the roll please.

Upon a motion of Mr. Prado, seconded by Mr. Freel/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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Thank you sir. Nothing tonight.

President Gregory: Mr. Freel.

Mr. Freel: Nothing this evening. Thank you.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Thank you Mr. President but nothing tonight.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nope, nothing this evening.

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

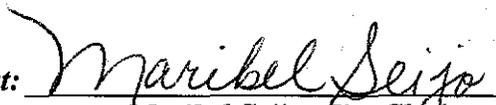
### **PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events, anniversary wishes, birthday wishes and community projects in their districts. Council Members congratulated President Gregory on his daughter Aysha Gregory passing the Delaware Bar Association exam. It was duly noted that Affordable Care Act rolled out October 1<sup>st</sup>. Various city departments were thanked for their assistance and their continued responsiveness. It was noted that recommendations for safe neighborhoods still need to be looked at and how those recommendations can be implemented. It was also noted that concerns still need to be addressed around the policies of security and special events and as such was requested to be discussed at one of the upcoming Public Safety Committee meeting agendas. Ms. Nailah Gilliam was congratulated on her promotion to Director of the Department of Real Estate and Housing.

### **ADJOURNMENT**

Upon a motion of Mr. M. Brown, seconded by Ms. Shabazz, Council adjourned at 7:36 p.m. Motion prevailed.

Attest:

  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
October 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, Prado, Dorsey Walker, Williams, Freel, M. Brown, Walsh, and Wright\*\*, and Council President Gregory. Total, eleven. Absent, Council Members Shabazz and Cabrera. Total, two.

**MINUTES**

After reading a portion of the minutes of October 3, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. Prado, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Ms. Walsh presented the following committee report:

<b><u>Housing, Licenses &amp; Inspections Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Samuel Prado	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Nnamdi O. Chukwuocha		X	
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

October 2, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Housing, Licenses & Inspections Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-034** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF "THE INTERNATIONAL CODE COUNCIL OF 2012", THE INTERNATIONAL BUILDING AND RESIDENTIAL CODES AND AMENDMENTS TO BE SET FORTH IN CHAPTER 4 OF THE CITY CODE AS THE CITY'S BUILDING, MECHANICAL AND PLUMBING CODES

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

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Samuel Prado, Chair  
/s/Darius J. Brown  
/s/Maria D. Cabrera  
/s/Hanifa Shabazz  
/s/Sherry Dorsey Walker  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Mr. Chukwuocha presented the following committee report:

<u>Education, Youth &amp; Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.	X		
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II			X
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

October 9, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 4:30 p.m., Chairman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Discuss a Resolution for the Department of Parks and Recreation to accept funding for the 2014 Child and Adult Care Food Program
- Delaware MET presentation by Amy Cantymagli
- Update on WHACC and the Youth Leadership Commission by Dr. Tonia Perry-Conley and Darion Gray
- “Bullying, Children’s Safety and Parenting” presentation by Michael Graves
- New Castle Charter School Expo presentation by the Delaware Charter School Network

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

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

Mr. M. Brown presented the following committee report:

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

October 10, 2013

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 4:30 p.m., Councilman Michael A. Brown, Sr. presiding. The following items were discussed:

•Emergency Management:

1. Emergency Management Update
2. Active Shooter Exercise Update
3. Other

•Fire:

1. Lincoln Tower Firehouse Update
2. Other

•Police:

1. Police Crime Stats Update
2. Police Initiatives Update
3. Other

Respectfully submitted, Members of  
Public Safety Committee  
/s/Michael A. Brown, Sr., Chair  
/s/Robert A. Williams

**\*Note:** Upon a motion and duly seconded, the above aforementioned Public Safety Committee Report was amended as Councilwoman Walsh stated that she was absent with leave and is hereby reflected on the above aforementioned Report herein, received, recorded and filed. Motion prevailed.

<u>Community and Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II			X
Sherry Dorsey Walker	X		
Justen A. Wright	X		

October 14, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 4:30 p.m., Councilwoman Loretta Walsh presiding. The following item was discussed:

- An Update on the Department of Urban and Economic Development

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

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

**TREASURER'S REPORT**

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

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

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 2,866.05
106	Fire Pension Account	M & T Bank	\$ 3,119.12
107	Evidence/Found Currency Account	M & T Bank	\$ 143,906.70
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 256,444.73
117	Cement Workers	Wilmington Savings Fund	\$ 33,363.04
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 22,874.95
130	Payroll	M & T Bank	\$ 159,034.36
131	Pension Payroll Account	M & T Bank	\$ 46,418.75
139	Pension Healthcare Account	M & T Bank	\$ <u>924.66</u>
	Total Cash on Hand		\$ <b>691,653.50</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	10/17/13	0.01%	\$ 2.10	\$ 5,644,946.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 437.26	\$ 1,900,000.00
105	Police Pension	WSFS	CD	10/29/13	0.30%	\$ 88.11	\$ 335,000.00
106	Fire Pension	WSFS	CD	10/29/13	0.30%	\$ 449.75	\$ 1,710,000.00
124	Non-Uniform 1990	WSFS	CD	10/29/13	0.30%	\$ 1,375.56	\$ 5,230,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	11/01/13	0.25%	\$ 57.70	\$ 240,678.75
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
110	Capital <sup>3</sup>	TD	CD	12/03/13	0.25%	\$ 749.00	\$ 1,540,195.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,498,977.00
104	Escrow Pension	Vanguard					\$ 20,190,680.00
104	Escrow Pension	Black Rock					\$ 53,259,825.00
104	Escrow Pension	Edgar Lomax					\$ 29,023,467.00
104	Escrow Pension	Wilmington Trust					\$ 34,895,949.00
104	Escrow Pension	Manning & Napier					\$ 21,875,704.00
104	Escrow Pension	Earnest Partners					\$ 13,169,059.00
104	Escrow Pension	GMO					\$ 11,148,358.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,100,711.00
116	Deferred Comp.	MassMutual					\$ 35,818,876.00
	Total Investments						\$ 329,687,591.85
	Total Cash on Hand						\$ 691,653.50
	Grand Total						\$ 330,379,245.35

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

/s/Henry W. Supinski  
City Treasurer

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

### NON-LEGISLATIVE BUSINESS

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

All Council	Recognize 2013 Thomas J. Moyer Achievement Awards Honorees
Cabrera/Council	Sympathy former City Council Member Antonio Resto
Cabrera	Commend Katherine L. Esterly, MD
Cabrera	Appreciation Episcopal Diocese of Delaware, Trinity Episcopal Parish and Diocese of Mexico (Joint Special Service)
Chukwuocha	Recognize Julian Jackson
Gregory/M. Brown	Recognize The Abundant Life Apostolic Church and Best Wishes Pastor Leonard Briddell, Jr.'s 60 <sup>th</sup> Birthday
Shabazz	Sympathy Brenda Dryden
Walsh	Recognize Helen Riley 25 <sup>th</sup> Anniversary at St. Michael's School

### LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

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

Mr. Chukwuocha presented Resolution No. 13-061 as follows:

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

**WHEREAS**, the City has been approved by the Department of Education for the State of Delaware to receive approximately \$500,000.00 in grant funds from the Federal government for the operation and cost of the Child and Adult Care Food Program (the "Food Program"), which is set to run from October 1, 2013 through September 30, 2014; and

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

**WHEREAS**, the City has prepared a request for proposal relating to the Child and Adult Care Food Program for vendors to submit bids to provide meals to eligible participants in the Food Program; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described Federal grant funds received from the State of Delaware for the Program be accepted and approved, and the Mayor or his designee, and the City Clerk are hereby authorized and directed to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Chukwuocha: Yes Mr. President. This is a Resolution for I believe it's twice a year through Parks & Recreation's program to receive a grant which covers the summer and winter feeding program. I believe its 300, I mean 30 sites and they feed 1200 youth per day and there's no cost to the city as long as we meet the guidelines. It's fully reimbursable. So, as long as we meet the guidelines, there's no cost to the city.

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

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

President Gregory: Declare it adopted. Mr. Congo.

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

President Gregory: Mr. Darius Brown.

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

President Gregory: Ms. Shabazz. Mr. Prado.

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

Mr. Prado presented and called for the third and final reading Ordinance No. 13-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF "THE INTERNATIONAL CODE COUNCIL OF 2012", THE INTERNATIONAL BUILDING, AND RESIDENTIAL

CODES AND AMENDMENTS TO BE SET FORTH IN  
CHAPTER 4 OF THE CITY CODE AS THE CITY'S  
BUILDING, MECHANICAL AND PLUMBING CODES

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

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY  
CODE TO APPROVE THE ADOPTION OF "THE  
INTERNATIONAL CODE COUNCIL OF 2012", THE  
INTERNATIONAL BUILDING, AND RESIDENTIAL  
CODES AND AMENDMENTS TO BE SET FORTH IN  
CHAPTER 4 OF THE CITY CODE AS THE CITY'S  
BUILDING, MECHANICAL AND PLUMBING CODES

Mr. Prado: Yes Mr. President, this is something that Licenses & Inspections have been wanting to do for awhile. It's going to overhaul the Code to bring it up to the -- its call "The International Code Council" and this adopted by not just the United States but also in Europe and Australia. Things are going to be pretty much the same. There is one thing that really stands out though and that would be new construction would require sprinklers whether that be home or business or whatever new construction and if somebody is going to do a remodeling. If it's 75% or more, that would require sprinklers too. So those are the two issues that kind of you know stuck out. I will say this thought, this is not like set and stone this document. So, I've talked to the Commissioner and we can amend it as time goes by if it proves to be too much on the City of Wilmington. But, I'm not against sprinklers but we have to see how this plays out as we implement it but I know that might be a sticking point for some folks.

President Gregory: Councilwoman Walsh.

Ms. Walsh: Yes, I think that you know we're a city that we're constantly complaining about our vacant houses and trying to get people to get in to rehab them, I think for an average Joe Blow or Jane Blow whose out there who might want to consider rehabbing a house in the City of Wilmington that needs a fair amount of rehabilitation, this would be a breaking point for them because putting sprinkler systems into anything can be very cost prohibitive. And, I just don't think it's good and my contingent is always if you can amend things down the road then why are you passing them now? Like, why are you going wait until it becomes a really big problem and then say, "Oh, we should have done it differently".

President Gregory: One of the issues that came up in the committee and it was a very good committee meeting, was whether or not this had been vetted by the industry or various stakeholders who would in this -- I don't know if -- it was not vetted before that committee meeting, I don't know if it's been vetted since that committee meeting...

Mr. Prado: Even if...Mr. President, can I speak? I'm thinking it might be a good idea to hold this because I don't think it's been quite you know vetted enough with the industry and actually Mr. Freel brought up a good point, like I haven't - - actually I haven't discussed it with some of the non-profits that do this rehab work like Cornerstone and Habitat. So, I think that maybe it might be a good idea to hold for tonight and maybe not move forward with it.

Although Mr. Prado moved the above aforementioned Ordinance and duly seconded by Ms. Walsh, after some discussion, as noted above, Mr. Prado **held** Substitute No. 1 to Ordinance No. 13-034.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President, nothing for tonight.

President Gregory: Mr. Williams.

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

President Gregory: Mr. Freel.

Mr. Freel: Nothing, thank you sir.

President Gregory: Mr. Michael Brown.

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

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation Mr. President.

President Gregory: Mr. Wright.

Mr. Wright: Nothing, thank you sir.

### **PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events, birthday wishes and community projects in their districts. Council Members expressed their sympathies to the family of former Councilman Antonio Resto. Council Members expressed concerns of the ongoing crime in the City of Wilmington and expressed interest in knowing what the Mayor's public safety plan is.

Council Members made comments regarding the following matters including but not limited to: efforts in getting the Skate Park done; Mayor's Task Force as it relates to William "Hicks" Anderson Center; the need for shot spotters and also the need of police attention in all communities not just in the downtown area.

Boy Scout Jack Bulk of Troop 29 was recognized in the audience as well as Darion Gray who attended the Council meeting with a group of youth.

**ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 7:19 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*Louis L. Redding  
City/County Building  
November 7, 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 October 17, 2013, upon a motion of Ms. Walsh, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Mr. Williams presented the following committee report:

<b><u>Health, Aging &amp; Disabilities Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Robert A. Williams	X		
Darius J. Brown		X	
Charles M. "Bud" Freel		X	
Sherry Dorsey Walker	X		
Justen A. Wright	X		

October 30, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Health, Aging & Disabilities Committee, met on the above date at 5:00 p.m., Councilman Robert A. Williams presiding. The following items were discussed:

1. A presentation by Matt Wilson, Volunteer, Delaware Advocacy Coordinator for Pancreatic Cancer Action Network
2. A presentation by Dwayne H. Adams, CEO/Founder of Breaking Barriers

Respectfully submitted, Members of  
 Health, Aging & Disabilities Committee  
 /s/Robert A. Williams, Chair  
 /s/Sherry Dorsey Walker  
 /s/Theopolis K. Gregory, Sr., Ex Officio Member

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

**Note:** Although Councilman Wright was present at the committee meeting, his signature was inadvertently missed and therefore not reflected above. In addition, the items referenced in the aforementioned committee report did not require to be voted out of committee.

Mr. Freel presented the following committee report:

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

DATE: 11/4/13

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-035** entitled:

AN ORDINANCE TO AMEND THE CAPITAL IMPROVEMENTS  
 PROGRAM FOR THE SIX FISCAL YEARS 2014-2019 BY AMENDING  
 SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-011

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa Shabazz  
 /s/Theopalis K. Gregory, Sr., Ex Officio Member

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

Mr. Freel presented the following committee report:

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

President and Members of Council of  
 The City of Wilmington

DATE: 11/4/13

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-036** entitled:

AN ORDINANCE TO AMEND THE CAPITAL BUDGET FOR FISCAL YEAR 2014 BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-012

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa Shabazz  
 /s/Theopalis K. Gregory, Sr., Ex Officio Member

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

Mr. Prado presented the following committee report:

<u>Joint Meeting of Finance, Education, Youth &amp; Families and Housing, Licenses &amp; Inspections Committee</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado			X
Hanifa G.N. Shabazz	X		
Loretta Walsh		X	
Nnamdi O. Chukwuocha	X		
Maria D. Cabrera		X	
Ernest "Trippi" Congo, II	X		
Sherry Dorsey Walker	X		
Darius J. Brown	X		

November 4, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your **JOINT** Finance and Education, Youth & Families and Housing, Licenses & Inspections Committee met on the above date at 5:00 p.m. Councilman Charles M. Freel presiding. The following items were discussed:

- Discuss Wage Tax Dispute/Appeals Process
- Update on Delaware SPCA
  - Funding
- Update on the Skate Board Capital Project
- Discuss a Resolution to dispose of 1123 W. 4<sup>th</sup> Street to LACC
- Discuss a Resolution to authorize the Wilmington Police Department to enter into a lease agreement for parking spaces at 1200 N. French Street

Respectfully submitted, Members of  
**Finance Committee** and  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Respectfully submitted, Members of  
**Housing, Licenses & Inspections Committee**  
 /s/Darius J. Brown  
 /s/Nnamdi O. Chukwuocha  
 /s/Hanifa Shabazz  
 /s/Sherry Dorsey Walker  
 /s/Theopalis K. Gregory, Sr., Ex Officio Member for all Committees

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

Mr. Prado presented the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Samuel Prado	X		
Darius J. Brown			X
Maria D. Cabrera			X
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker		X	

President and Members of Council of  
 The City of Wilmington

November 6, 2013

Ladies and Gentlemen:

We, your **Housing, Licenses & Inspections Committee**, met on the above date at 4:30 p.m., Councilman Samuel Prado presiding. The following items were discussed:

- A Resolution authorizing the Department of Real Estate and Housing to lease 301 East 15<sup>th</sup> Street a.k.a 1500 North Walnut Street to Urban Bike Project for 1 year.
- A Resolution authorizing the disposition of 2412 West 2<sup>nd</sup> Street to Amrinder Singh.
- A Resolution authorizing the Department of Real Estate and Housing to declare as surplus the residential properties at 2227 Lamotte Street, 1006 N. Lombard Street and 2412 W. 2<sup>nd</sup> Street.
- A Resolution authorizing the Department of Real Estate & Housing to accept the property donation of 2506 Thatcher Street from HSBC Bank USA Trustee under the REO Alternative Disposition Program through NCST.
- A Resolution authorizing the Department of Real Estate & Housing to accept the property donation of 822 E. 17th Street from US Bank National Association Trustee under the REO Alternative Disposition Program.

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Samuel Prado  
/s/Nnamdi O. Chukwuocha  
/s/Hanifa Shabazz

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

**TREASURER'S REPORT**

The following Treasurer's Report dated November 7, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Williams/Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON November 7, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 3,776.41
106	Fire Pension Account	M & T Bank	\$ 4,029.57
107	Evidence/Found Currency Account	M & T Bank	\$ 131,824.89
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 23,768.70
117	Cement Workers	Wilmington Savings Fund	\$ 33,363.04
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,716.46
130	Payroll	M & T Bank	\$ 158,961.64
131	Pension Payroll Account	M & T Bank	\$ 38,175.94
139	Pension Healthcare Account	M & T Bank	\$ 2,352.02
	Total Cash on Hand		\$ 422,669.81

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	11/07/13	0.01%	\$ 2.21	\$ 8,043,094.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
105	Fire Pension	WSFS	CD	11/26/13	0.30%	\$ 156.41	\$ 865,000.00
124	Non-Uniform 1990	WSFS	CD	11/26/13	0.30%	\$ 1,233.53	\$ 5,360,000.00
106	Fire Pension	WSFS	CD	11/26/13	0.30%	\$ 291.12	\$ 1,265,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
110	Capital <sup>3</sup>	TD	CD	12/03/13	0.25%	\$ 749.00	\$ 1,540,195.00
110	Capital <sup>2</sup>	TD	CD	12/06/13	0.25%	\$ 57.72	\$ 240,736.45
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
110	Capital	WSFS	CD	02/05/14	0.30%	\$ 18,105.54	\$ 24,476,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,498,977.00
104	Escrow Pension	Vanguard					\$ 20,190,680.00
104	Escrow Pension	Black Rock					\$ 53,259,825.00
104	Escrow Pension	Edgar Lomax					\$ 29,023,467.00
104	Escrow Pension	Wilmington Trust					\$ 34,895,949.00
104	Escrow Pension	Manning & Napier					\$ 21,875,704.00
104	Escrow Pension	Earnest Partners					\$ 13,169,059.00
104	Escrow Pension	GMO					\$ 11,148,358.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,100,711.00
116	Deferred Comp.	MassMutual					\$ 36,134,370.00
	Total Investments						\$ 329,916,291.55
	Total Cash on Hand						\$ 422,669.81
	Grand Total						\$ 330,338,961.36

<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 and motion prevailed:

M. Brown	Sympathy Ward Raison, Sr.
M. Brown	Sympathy Jacob Jervey, Sr.
Cabrera	Congratulate Margaret Rivera 2013 Governor's Outstanding Volunteer Award
Cabrera	Recognize Artist Eunice LaFate - 20 <sup>th</sup> Anniversary
Cabrera	Recognize Project C.H.A.N.C.E
Cabrera	Recognize Healthy Latino Symposium
Cabrera	Congratulate Graduates of the Sunday Breakfast Mission's New Life Program
Freel	Sympathy Fabio DeNisio
Gregory	Sympathy Fred James Lilly, Sr.
Gregory	Sympathy Dolores Drennon
Williams	Recognize Pancreatic Cancer Month and Pancreatic Cancer Action Network
Wright	Recognize Mt. Joy UM Church - 140 <sup>th</sup> Anniversary

## LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you sir.

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. Darius Brown presented Resolution No. 13-062 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (the "City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the City, through its Department of Real Estate and Housing (the "Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-030.10-166 being located at 2506 Thatcher Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, HSBC Bank USA Trustee, being the current legal owner of the Property, has agreed to donate the Property to the City and the Department will rehabilitate the Property and sell for homeownership.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** (the "Council") that Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby authorizes and approves the acceptance of the Property by the City from the current owner, HSBC Bank USA Trustee, and authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the acceptance of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. D. Brown: Yes Mr. President. In a effort to create sustainable neighbors in the 3<sup>rd</sup> District, this property at 2506 Thatcher Street is adjacent to the Village of Eastlake, which was a housing project that we did about twelve, thirteen years ago here in the City and so we want to continue to stabilize that area not only the Village of Eastlake but traditional homes that have been there for many years and so this Resolution allows to bring this house back to a point where someone can inhabit it. It did have some mildew and so the bank invested \$30,000 to remediate the mildew and so now the property is back livable standards.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Darius 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. Nays, none.

President Gregory: Declare it adopted.

Mr. D. Brown: Yes, I have another Resolution to present.

Mr. Darius Brown presented Resolution No. 13-063 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (the "City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the City, through its Department of Real Estate and Housing (the "Department"), has expressed an interest in obtaining ownership of the property known as Tax Parcel No. 26-029.40-217 being located at 822 East 17<sup>th</sup> Street, Wilmington, Delaware (the "Property"); and

**WHEREAS**, US Bank National Association Trustee, being the current legal owner of the Property, has agreed to donate the Property to the City and to provide a \$4,000.00 contribution to the City to assist the Department to rehabilitate the Property and sell for homeownership.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** (the "Council") that Council, acting pursuant to Wilm. C. (Charter) § 8-204, hereby authorizes and approves the acceptance of the Property by the City from the current owner, US Bank National Association Trustee, and authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the acceptance of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. D. Brown: Yes Mr. President. This property is located at 822 E. 17<sup>th</sup> Street and this property is a property that the US Bank National Association Trustee is providing to us here in the City of Wilmington as part of a program that our city's Real Estate and Housing Department has advocated and champion and with this property the bank will also be contributing \$4,000 towards the house and different needs that the house may have.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Darius 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, Freil, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Mr. Brown.

Mr. D. Brown: I have a Resolution to present.

Mr. Darius Brown presented Resolution No. 13-064 as follows:

**WHEREAS**, the City of Wilmington Department of Real Estate and Housing (the "City") is seeking a permanent use for the former Urban Environmental Center site located at 301 East 15<sup>th</sup> Street a.k.a. 1500 North Walnut Street (the "Property"); and

**WHEREAS**, on May 13, 2013 the Board of Directors of Cityfest, Inc. voted by unanimous decision to terminate the previous lease of the Property between Cityfest, Inc. and the City; and

**WHEREAS**, the City has a preliminary lease agreement with the Partnership for the Delaware Estuary ("Estuary"), a non-profit environmental organization based out of Wilmington, for a long-term land lease of the Property; and

**WHEREAS**, the preliminary lease with Estuary is anticipated to commence January 1, 2015 and is subject to Estuary's engineering and architectural feasibility study of the Property; and

**WHEREAS**, the City is seeking to enter into a temporary, thirteen month lease agreement with the Urban Bike Project of Wilmington, Inc. ("Urban Bike") to occupy the property while Estuary conducts its due diligence of the Property; and

**WHEREAS**, the City, Estuary and Urban Bike have entered into a Memorandum of Understanding regarding the parties anticipated use and lease of the Property; and

**WHEREAS**, Urban Bike is a non-profit organization based in Wilmington with a focus on education and mechanical self-reliance and seeks to serve the community's needs by educating and promoting cycling as a safe, practical, cost-efficient mode of transportation; and

**WHEREAS**, Urban Bike will be using the Property as a mechanic shop and will have a full compliment of shop quality tools and educational and mechanical programs to assist City of Wilmington residents and youth in need.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City of Wilmington Department of Real Estate and Housing is hereby authorized and directed to enter into a lease agreement for the property located at 301 East 15<sup>th</sup> Street a.k.a. 1500 North Walnut Street for a one year term at the rental rates set forth on Exhibit "A" attached hereto, and the Chief of Staff is hereby authorized and directed to execute as many copies of said lease agreement as may be necessary.

Mr. D. Brown: Yes Mr. President, I would ask the minutes for CITYFEST Board of Director dated Monday, May 13, 2013 and dated Monday, October 14, 2013 be added into the record and also the lease termination between the City of Wilmington and CITYFEST, Incorporated that is dated on the 4<sup>th</sup> day of November, 2013 between the City of Wilmington and CITYFEST.

President Gregory: So noted and it will be added to the record. Just a minute - Mr. Brown.

Mr. D. Brown: With this Resolution we're presenting this tonight, last year we sponsored a Resolution to have this property formally known as the Urban Environmental Center, to go to CITYFEST under the previous administration with a different plan for the Urban Environmental Center. Under the current administration, they are looking to do some other things at that location and so this Resolution along with the minutes from CITYFEST hopefully resolves any questions. One of the questions was one that I raised privately around us being able to present this Resolution without rescinding the other Resolution and so we did received an opinion from the City Solicitor's Office that said that we were able to do such and that's why we're presenting this here tonight along with the Board's minutes.

President Gregory: And we can do so because of the minutes. Ms. Cabrera.

Ms. Cabrera: Yeah, is there any conversation as to what the plans are? What's going to be done with that property?

President Gregory: It's going to become...

Mr. Brown: Yes. The Resolution speaks to what is going to be at that property. What would be at that property, will be the Urban Bike Project, which is currently located on 18<sup>th</sup> & Market Street that needs a new home and so the Urban Bike Project will be located there temporarily for thirteen months. There is conversation for them to possibly stay there longer if that is their desire and then following that we'll have the occupancy of the Delaware Estuary at that property for long-term lease.

President Gregory: Make one correction. As I understand it, the anticipation is that the Estuary Society will become the long-term tenant at that location. They won't be ready for another thirteen months. So, in the interim, the Urban Bike Center is going to go in. Then when the Estuary is ready to take possession, they're going to see if the Urban Bike Project can co-exist at that location. But it's earmarked for the Estuary. It's just that they're not ready to move in at this point in time. The Bike Center wants to move from where they are. The facilities were graciously, kind of gratuitously given to them with little or no money and the owner at that time indicated they did not intend to put any money into the building and they have not rightfully put any money into the building. So, the Bike Project is looking for home. Let me go to Loretta and come back to you. I'm sorry, Councilwoman Walsh.

Ms. Walsh: CITYFEST should correct their minutes too if they're going to be put in as part of the public record because they have Mr. Matlusky as absent but then they have him calling the roll at their board meeting. Unless he was doing it by speakerphone, don't know. With this project, I think it's fabulous. I think they should be part of the Estuary. I'm not real happy with the \$425 a month. I think this is a project that has been struggling. It has touched a whole lot of kids and there are a whole lot of kids over in that area - - where they're presently I'm talking about. I think it has helped out a whole lot of kids. You know, it's an educational process, gives them a reason to be off the streets especially during the nice months and then during the winter months, you know, not so much where they can roll the bikes over for more profits. So, I'll support it but I think for agency that's already struggling, a \$425 a month, you know, it could be a little over their heads.

President Gregory: Just as a footnote with respect to the \$425, it was something that certainly started off higher and we ended - - it's my understanding the City ended where at a point where the Bike Project thought it suitable. There is also a fee dealing with electricity that they'll have to pay but the fee dealing with the security system is there. The City will continue to pick that up but again it was not so much negotiation but - - I want to thank Harold Gray personally when John Rago and I were discussing this and we went down and talked to Harold Gray and thought the Urban Bike Project could occupy that property, he just dropped what he was doing and discussed it with us and said, "Let me see if I can work something out for the Council", and he did and came back and we ended up sharing temporarily with the Estuary until they get ready. Mr. Brown you had something else.

Mr. D. Brown: Yes Mr. President. Just for some of my Council Members' clarity, the Urban Bike Project is scheduled to move in on December 1<sup>st</sup> barrowing the passes of this Resolution December 1, 2013. They will be in a thirteen month lease agreement and so the reason why the Resolution is coming before us is because it's thirteen months. If it was twelve months, you know a year, than the Administration would be able to enter into this without coming to Council. And, then beginning January 1, 2015 is the date the proposed date, potential date for the Delaware Estuary to be in that location.

President Gregory: Also, let me just add a footnote, the Bike Project or that very important that they remain in that east, northeast corridor. They've developed a lot of relationships and have identified communities and children who can use the services and they wanted to stay there and it was important that we try to find something for them there and blessed we were able to do so. Clerk will call the roll.

*Note: As mentioned above, CITYFEST Board of Director's minutes were added into the record and is attached herein as an insert from Page 14-18.*

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**CITYFEST, INC.**  
**BOARD OF DIRECTOR'S MEETING**

**Monday, May 13, 2013**

**1:30 P.M.**

**3th Floor Conference Room**

**Meeting Minutes**

**Board Members Present:** Henry W. Supinski, Lisa Partlow, Tanya Phillips and Kenneth Briscoe

**Absent Members:** John Matlusky and Leonard Sophrin

**Others Present:** Rich Emge and Tamara Thompson

The meeting was called to order by Mr. Briscoe at 1:42 P.M. Mr. Briscoe called the roll of Board Members noting that a quorum was present.

Mr. Briscoe reviewed the minutes from the January 15, 2013 meeting. Ms. Phillips made a motion to accept the minutes from the prior meeting seconded by Mr. Supinski. Unanimous decision carried by the Board.

The Wilmington Children's Chorus introduction was removed from the agenda. This will be discussed at a future meeting.

Mr. Briscoe discussed with the Board the need to change the By-Laws from two (2) Officers (President and Treasurer) to sign checks per Article V, Section 1 of the By-Laws. This change will reflect any two (2) of the four (4) Officers (Kenneth Briscoe, Tanya Phillips, Henry Supinski and Lisa Partlow) can sign checks. The By-Laws will also reflect a change in Article V, Section 2 regarding Contracts. This change will reflect that a Contract can be signed by any one (1) Officer or a Designee by the President. A motion by Mr. Supinski to accept the changes of the By-Laws, seconded by Ms. Phillips. Unanimous decision carried by the Board. The By-Laws will be revised by the City Solicitor's Office and sent to the Board Members.

Mr. Briscoe discussed the Staples invoice from the previous administration. Ms. Betz purchased a computer, printer, etc. for the Wilmington Children's Chorus. Ms. Betz has the property in her possession. Ms. Supinski suggested the President

send notification to Ms. Betz for the payment of the purchases or have the merchandise returned. The amount of the purchases were not given at this time.

Mr. Briscoe also discussed trips that were scheduled by Ms. Betz and Ms. Zimmermann at the end of the previous administration that they did not attend. The registration/airfare still needs to be recouped for both parties. This issue will be looked into by Ms. Phillips. The City did receive the funds back from the hotel minus one day for Ms. Betz. The Board will still need to address this issue at a later date.

Mr. Emge suggested to the Board that there is a need for quarterly Board meetings going forward and a Financial Report should be presented to the Board by the President at these meetings.

Ms. Partlow addressed the two accounts at TD Bank. These accounts have been frozen since the new administration took office. Ms. Partlow asked the Board if the accounts can have the signers changed to reflect the four (4) officers (Kenneth Briscoe, Tanya Phillips, Henry Supinski and Lisa Partlow) and have the hold removed from both accounts. A motion was made by Mr. Supinski to change the signers as mentioned above, seconded by Tanya Phillips. Unanimous decision by the Board.

Mr. Supinski suggested that the Board review the two TD accounts in 6 months to see if there is a need for multiple Cityfest accounts.

Mr. Emge discussed the Lease between Cityfest and the City. This Lease is for the property at 301 East 15<sup>th</sup> Street. A draft to terminate this Lease was presented by Mr. Emge to the Board. A motion by Mr. Briscoe was made to terminate the Lease seconded by Tanya Phillips, so moved by Mr. Supinski, motion carried. Unanimous decision by the Board.

A motion was made by Mr. Briscoe to adjourn, seconded by Mr. Supinski at 2:38P.M.

Submitted by:  
Lisa Partlow, Secretary

**CITYFEST, INC.**  
**BOARD OF DIRECTOR'S MEETING**

**Monday, October 14, 2013**

**10:00 A.M.**

**Mayor's Office Conference Room**  
**Meeting Minutes**

**Board Members Present:** Kenneth Briscoe-President, Tanya Phillips-Vice-President, Henry Supinski-Treasurer, Lisa Partlow-Secretary

**Absent Members:** John Matlusky and Leonard Sophrin

The meeting was called to order by Mr. Briscoe at 10:21 A.M. Mr. Matlusky called the roll of Board Members noting that a quorum was present.

The Board reviewed the minutes from the May 13, 2013 meeting. Ms. Phillips made a motion to accept the minutes from the prior meeting seconded by Mr. Supinski. Unanimous decision carried by the Board.

The Staples invoice from the previous administration was discussed again in detail. This invoice was for equipment purchased by Tina Betz for the Wilmington Children's Chorus. The outstanding invoice was sent to a collection agency due to non payment by Cityfest. After discussions between outside Counsel (McCarthy, Burgess & Wolff) and Mr. Briscoe, an amount was agreed upon as full and final payment for the outstanding invoice in the amount of \$1,150. Mr. Briscoe sent an email to all Board members for a vote and received unanimous approval from the Board to pay the invoice. Mr. Briscoe would still like to send a letter to Ms. Betz regarding the computer (which is still in her possession) to see if we can get the computer, printer, etc. returned or get the money for the purchases. Mr. Supinski suggested Mr. Briscoe discuss costs with the City Solicitor's Office to see if pursuing this issue would be cost effective. No action was taken by the City Solicitor's Office as was discussed in the previous meeting on May 13<sup>th</sup>.

Mr. Briscoe again discussed the trips scheduled by Ms. Betz and Ms. Zimmermann that they did not attend. It was asked by Mr. Supinski if an amount is still due to Cityfest. Ms. Phillips informed the Board that Cityfest did receive the funds back from the hotel minus one day for Ms. Betz. The Board agreed that no further action will be taken to recoup any funds due.

Mr. Sophrin discussed the Lease between the City of Wilmington and Cityfest for the property at 301 East 15<sup>th</sup> Street. The City Solicitor's Office has drafted the lease termination for this property. This draft was not presented at this meeting to the Board. The termination lease still needs to be executed by the Board. Note: this termination was approved by the Board at the May 13<sup>th</sup> meeting.

Mr. Briscoe will schedule quarterly Board meetings going forward and a Financial Report/Budget will be provided to the Board at each meeting.

Mr. Briscoe also reviewed budgets and festival reports for each account (see attached documentation).

Mr. Briscoe discussed the PayPal account he opened. This account will be used for ticket and merchandise sales. The revenue received will be transferred to the account the first of each month with a detailed description attached.

Mr. Briscoe discussed the company ShowClix. ShowClix is a ticket company that Mr. Briscoe contracted for Theatre N. A credit card is needed to transfer the revenue received by ShowClix to Cityfest/Theatre N. This credit card will only be used for this purpose. Mr. Supinski made motion for Mr. Briscoe to receive a credit card, seconded by Mr. Sophrin. Unanimous decision carried by the Board. Ms. Partlow will contact M&T Bank to have a credit card issued to Mr. Briscoe. A limit of \$1,000 was approved.

Mr. Briscoe and Ms. Phillips discussed a contract for the Wilmington Children's Chorus with the Delaware Community Foundation. The main purpose of DCF is to take charge of the clerical work needed and accept donations for the Chorus. DCF will charge a 2 percent fee for the work they perform. The contact at DCF will be Dave Fleming.

A motion was made by Mr. Briscoe to adjourn, seconded by Mr. Supinski at 11:13A.M.

Submitted by:  
Lisa Partlow, Secretary

**LEASE TERMINATION**  
**BETWEEN**  
**THE CITY OF WILMINGTON**  
**AND**  
**CITYFEST, INC.**

**THIS LEASE TERMINATION** (the "Termination") is entered into this 4<sup>th</sup> day of November, 2013 by and between the CITY OF WILMINGTON ("City") and CITYFEST, INC., a Delaware non-profit corporation ("Cityfest").

**WHEREAS**, the City and Cityfest entered into that certain Lease Agreement dated December 21, 2012 (the "Lease") for that certain parcel of land located at 301 E. 15<sup>th</sup> Street, Wilmington, Delaware, being Tax Parcel No. 26-029.30-126; and

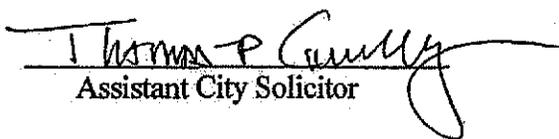
**WHEREAS**, Cityfest requested that the Lease be terminated; and

**WHEREAS**, the Board of Directors of Cityfest by affirmative vote on May 13, 2013 terminated the Lease.

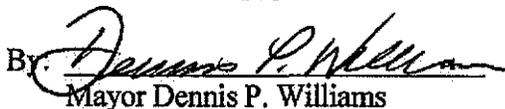
**NOW, THEREFORE**, the parties agree that the Lease was terminated effective as of May 13, 2013.

**IN WITNESS WHEREOF**, the parties have caused this Termination to be duly executed the day and year first written above.

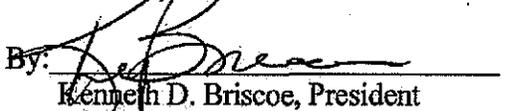
Approved as to form:

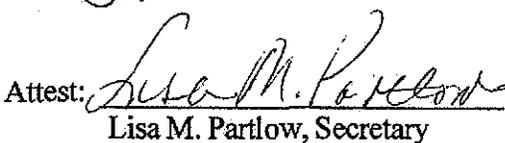
  
Assistant City Solicitor

**CITY OF WILMINGTON**

By:   
Mayor Dennis P. Williams

**CITYFEST, INC.**

By:   
Kenneth D. Briscoe, President

Attest:   
Lisa M. Partlow, Secretary

Upon a motion of Mr. Darius 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. Nays, none.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Nothing tonight Mr. President. Thank you.

President Gregory: Mr. Prado.

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

Mr. Prado presented Resolution No. 13-065 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (the "City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, pursuant to Wilm. C. (Charter) §8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate with "authority by general ordinance and later resolution from Council so to do"; and

**WHEREAS**, Wilm. C. §2-621(a) provides that Council of the City ("Council") shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Department of Real Estate and Housing (the "Department"); and

**WHEREAS**, Wilm. C. §2-621(c) provides, that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code and non-profit organizations are exempt from the City's bid procedures and that upon the declaration of a property as surplus, by resolution of City Council, the City may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority or non-profit organizations; and

**WHEREAS**, the Department currently owns the parcels of real estate located at 2227 Lamotte Street, 1006 North Lombard Street, and 2412 West 2<sup>nd</sup> Street, being Tax Parcel Nos. 26-022.40-139, 26-036.10-399 and 26-026.10-065, respectively (collectively, the "Properties"); and

**WHEREAS**, Council, upon the recommendation of the Department, wishes to declare as surplus and authorize the disposition proceedings of 2227 Lamotte Street, 1006 North Lombard Street, and 2412 West 2<sup>nd</sup> Street.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that Council hereby declares the Properties to be surplus and authorizes and approves the disposition proceedings of the above-enumerated Properties.

**BE IT FURTHER RESOLVED** that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Properties, including any and all further undertakings and assurances that may be appropriate.

Mr. Prado: This is an Ordinance declaring some properties surplus.

Upon a motion of Mr. Prado, 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. Nays, none.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: I have a Resolution to present Mr. President.

Mr. Prado presented Resolution No. 13-066 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) §1-101, the City of Wilmington (the "City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the Department of Real Estate and Housing of the City (the "Department") is the legal owner of the property located at 1123 West 4th Street, Wilmington, Delaware, being Parcel Number 26-034.20-054 (the "Property"); and

**WHEREAS**, the Department has determined that the City no longer needs the Property and has therefore offered to transfer the Property to the Latin American Community Center for a partnership with Westside Grows for the construction of a community garden; and

**WHEREAS**, the Council of the City of Wilmington (the "Council"), upon the recommendation of the Department, hereby authorizes the City to dispose of the Property to the Latin American Community Center.

**NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON** that Council authorizes and approves the disposition of 1123 West 4th Street, Parcel Number 26-034.20-054 from the City to the Latin American Community Center for a partnership with Westside Grows for the construction of a community garden.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the purchase of the Property, including any and all further undertakings and assurances that may be appropriate.

Mr. Prado: Yes this is a - - this is going to be a Resolution to - - for the City to dispose of 1123 West 4<sup>th</sup> to the LACC and in partnership with the Westside Grows for a community garden.

Upon a motion of Mr. Prado, 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. Nays, none.

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Mr. President, I have a Resolution to present.

Mr. Williams presented Resolution No. 13-067 as follows:

**WHEREAS**, pursuant to Wilm. C. (Charter) § 8-205, a department, board or commission of the City of Wilmington (the "City") shall not sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate without advertised public notice appearing in at least one daily newspaper of citywide distribution and authority by general ordinance and later resolution from Council so to do; and

**WHEREAS**, Wilm. C. § 2-622(1) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Real Estate and Housing Department (the "Department"); and

**WHEREAS**, the City is legal owner of the property located at 2412 West 2<sup>nd</sup> Street, Wilmington, Delaware, being Tax Parcel Number 26-026.10-065 (the "Property"); and

**WHEREAS**, a request for proposals was issued by the Department in accordance with the procedures set forth in Wilm. C. § 2-622 through § 2-624; and

**WHEREAS**, the proposals were advertised on August 6, 2013, and again on August 13, 2013, and proposals were due by September 16, 2013; and

**WHEREAS**, a proposal of \$1.00 was received from Mr. Amrinder Singh who intends to renovate the property and occupy as the homeowner; and

**WHEREAS**, in accordance with the recommendation of the Department, the City desires that the Property be awarded to Mr. Amrinder Singh for \$1.00 in accordance with the procedures set forth in Wilm. C. § 2-622 through § 2-624.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby authorizes the disposition, sale, transfer and conveyance of the property located at 2412 West 2<sup>nd</sup> Street,

Wilmington, Delaware, being Tax Parcel Number 26-026.10-065, to Mr. Amrinder Singh for \$1.00.

**BE IT FURTHER RESOLVED** that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the transfer of the property, including any and all undertakings and assurances heretofore.

Mr. Williams: Mr. President, this property has been vacant for quite some time and back when I first took office I responded out there with the concerns of the neighbors that vagrants were squatting in there and setting fires in order to keep themselves warm. L&I had to respond out there on an emergency basis and board this place up. This would give an opportunity for somebody to take occupancy of this and make a home out of it after they refurb it.

President Gregory: Clerk, call the roll please. I'm sorry, Councilwoman Walsh.

Ms. Walsh: So this is being given to Mr. Singh for him for development to turn it over - - no. He's going to live in it?

Mr. Williams: He will live in it. That's correct, for a period of five years.

Ms. Walsh: Okay, thank you.

President Gregory: Clerk, call the roll please.

Upon a motion of Mr. Williams, 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. Nays, none.

President Gregory: Declare it adopted. Mr. Williams.

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

Mr. Williams presented and called for the first and second reading Ordinance No. 13-037 entitled:

AN ORDINANCE TO AMEND CHAPTERS 13, 34, AND 45  
OF THE CITY CODE REGARDING THE DISPOSAL AND  
COLLECTION OF RECYCLING

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

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, I have two for third and final and two for first and second.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-035 entitled:

AN ORDINANCE TO AMEND THE CAPITAL IMPROVEMENTS PROGRAM FOR THE SIX FISCAL YEARS 2014-2019 BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-011

Mr. Freel: Yes Mr. President, what we're doing here is we're amending our - - the Six Fiscal Year Program 2014-2019, add two million dollars under the title of the William "Hicks" Anderson Community Center. It puts us in a position when the final report comes out from the Task Force, whether its rehabilitation work for the existing building or looking at trying to raise funds for a new building, we'll be in a position to say that we've contributed two million dollars.

President Gregory: Clerk, call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, 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. Mr. Freel.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-036 entitled:

AN ORDINANCE TO AMEND THE CAPITAL BUDGET FOR THE FISCAL YEAR 2014 BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-012

Mr. Freel: Yes Mr. President, this is the companion piece to the amendment to the Capital Budget Program. This amends the Capital Budget stuff.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, 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 the Ordinance adopted. Mr. Freel.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-038 entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 TO THE FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013, AS AMENDED), THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

President Gregory: Mr. Freel.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-039 entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO EXTEND CONTRACT PD05006 – PARKING VIOLATION PROCESSING AND COLLECTION SYSTEM WITH XEROX STATE AND LOCAL SOLUTIONS, INC.

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

Mr. Freel: That's all. Thank you sir.

President Gregory: Mr. Michael Brown.

Mr. M. Brown: Yes Mr. President. I have a Resolution to submit.

Mr. Michael Brown presented Resolution No. 13-068 as follows:

**WHEREAS**, the City of Wilmington Police Department requires additional parking spaces for the storage of police vehicles; and

**WHEREAS**, the Wilmington Police Department is seeking to enter into a five-year lease agreement with PS#5, LLC ("PS#5"), a non-profit corporation, for the use of forty-four (44) parking spaces for the storage of police vehicles.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City of Wilmington Police Department is hereby authorized to enter into a lease agreement for forty-four (44) parking spaces in the building located at 1200 North French Street, Wilmington, Delaware, for a five-year term in accordance with the terms set forth in the contract attached hereto as Exhibit "A", and the Wilmington Police Department is hereby authorized to execute as many copies of said lease agreement as may be necessary.

Mr. M. Brown: Yes Mr. President. This was at the meeting the other night, joint Finance meeting with Housing I believe, this was on the agenda to speak about the Resolution that the Wilmington Police Department is seeking permission from us. They have an opportunity to move down the street with some of their apparatus - - meanly the traffic division to store in a more spacious warehouse, more spacious parking, to alleviate some of the crowdedness that's down at the police department. For those that don't know, if you go down to the police department, they not only do they park the patrol cars there but you go down the side street of 3<sup>rd</sup> Street I believe it is, there's a whole - - and I showed you that area Mr. President, there's a whole area of cars that is - - extra cars that are parked down there. We're in need of space and to eliminate that - - to alleviate that and to help out, you know, Bank of America, is willing to give us space to - for \$10.00 five year period.

President Gregory: There's one fact I think we should correct. It's not Bank of America. It's the Education Center.

Mr. M. Brown: Education Center. My apologies that is correct.

President Gregory: Okay and I think that's important because profit and non-profit.

Mr. M. Brown: That is correct.

President Gregory: Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Ms. Walsh/Mr. Freel, 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 this evening. Thank you Mr. President.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation, thank you.

President Gregory: Mr. Wright. We're going to congratulate our Bailiff, Joe Garcia, who recently married up in Wisconsin. So, Joe congratulations. We're going to go to petitions and communications at this time.

Mr. Wright: Mr. President.

Mr. M. Brown: Mr. President, I make a motion we suspend the petitions and communications.

Mr. Williams: Second.

Upon a motion of Mr. Brown, seconded by Mr. Williams, Petitions and Communications were suspended this evening (Council Members Cabrera and Wright opposed). Motion carried.

### PETITIONS AND COMMUNICATIONS

No petitions and communications presented this evening.

### ADJOURNMENT

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

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*City of Wilmington  
Louis L. Redding  
City/County Building  
November 21, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, ten. Absent, Council Members Congo, Shabazz, and M. Brown. Total, three.

### **MINUTES**

After reading a portion of the minutes of November 7, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Ms. Walsh presented the following committee report:

<b><u>Community and Economic Development Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Loretta Walsh	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II	X		
Sherry Dorsey Walker	X		
Justen A. Wright	X		

November 11, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 4:30 p.m., Councilwoman Loretta Walsh presiding. The following item was discussed:

- A presentation on the proposed plans for Woodlawn's Wilmington FLATS redevelopment.

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

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

***Note: The item referenced in the aforementioned committee report did not require to be voted out of committee.***

Ms. Walsh presented the following committee report:

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

President and Members of Council of  
The City of Wilmington

November 14, 2013

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 4:30 p.m., Councilman Michael A. Brown, Sr. presiding. The following items were discussed:

Police:

1. Update on Bank of America Initiative
2. Discuss Latest Crime Stats

3. Discuss a Resolution approving the Wilmington Police Department's acceptance of a State of Delaware Criminal Justice Council grant
4. Discuss a Resolution approving an Agreement with the State of Delaware, Department of Transportation to provide additional police officers to patrol Rodney Square for approximately three months
5. Other

Fire:

1. Filled Vacancies Update
2. Department Update

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

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

*Note: The items referenced in the aforementioned committee report did not require to be voted out of committee.*

Mr. Freel presented the following committee report:

<u>Public Works &amp; 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		

President and Members of Council of  
 The City of Wilmington

November 20, 2013

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, met on the above date at 4:30pm, Councilwoman Hanifa G.N. Shabazz presiding. The following items were discussed:

- Review a Resolution for the City of Wilmington to receive DNREC Grant for the Sugar Bowl Pavilion

- Review a Resolution to Approve a Second Amendment to a License Agreement with new Cingular Wireless PCS, LLC

Respectfully submitted, Members of  
 Public Works & Transportation Committee  
 /s/Hanifa G.N. Shabazz, Chair  
 /s/Nnamdi O. Chukwuocha  
 /s/Robert A. Williams  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

*Note: The items referenced in the aforementioned committee report did not require to be voted out of committee.*

### TREASURER'S REPORT

The following Treasurer's Report dated November 21, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON November 21, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 3,776.41
106	Fire Pension Account	M & T Bank	\$ 4,029.57
107	Evidence/Found Currency Account	M & T Bank	\$ 125,656.80
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 118,546.53
117	Cement Workers	Wilmington Savings Fund	\$ 33,366.89
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 38,716.46
130	Payroll	M & T Bank	\$ 65,677.87
131	Pension Payroll Account	M & T Bank	\$ 18,694.41
139	Pension Healthcare Account	M & T Bank	\$ 2,352.02
	Total Cash on Hand		\$ <u>433,518.10</u>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	11/21/13	0.01%	\$ 1.52	\$ 5,516,064.00
105	Fire Pension	WSFS	CD	11/26/13	0.30%	\$ 156.41	\$ 865,000.00
124	Non-Uniform 1990	WSFS	CD	11/26/13	0.30%	\$ 1,233.53	\$ 5,360,000.00
106	Fire Pension	WSFS	CD	11/26/13	0.30%	\$ 291.12	\$ 1,265,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
110	Capital <sup>3</sup>	TD	CD	12/03/13	0.25%	\$ 749.00	\$ 1,540,195.00
110	Capital <sup>2</sup>	TD	CD	12/06/13	0.25%	\$ 57.72	\$ 240,736.45
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
110	Capital	WSFS	CD	02/05/14	0.30%	\$ 18,105.54	\$ 24,476,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
110	Capital	WSFS	CD	02/19/14	0.30%	\$ 2,515.07	\$ 3,400,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
116	General	TD	CD	04/25/14	0.25%	\$ 1,816.44	\$ 1,700,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,525,971.00
104	Escrow Pension	Vanguard					\$ 21,026,580.00
104	Escrow Pension	Black Rock					\$ 54,551,296.00
104	Escrow Pension	Edgar Lomax					\$ 30,415,825.00
104	Escrow Pension	Wilmington Trust					\$ 35,085,552.00
104	Escrow Pension	Manning & Napier					\$ 22,569,521.00
104	Escrow Pension	Earnest Partners					\$ 13,699,328.00
104	Escrow Pension	GMO					\$ 11,477,987.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,342,601.00
116	Deferred Comp.	MassMutual					\$ 36,336,165.00
	Total Investments						\$ 332,822,987.55
	Total Cash on Hand						\$ 433,518.10
	Grand Total						\$ 333,256,505.65

<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 Ms. Walsh, seconded by Mr. Freel/Mr. Prado, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Retirement Laura Papas
D. Brown	Welcome Donella Cuff Rodriguez and Hanna Rodriguez
Prado	Thank Mario & Dorothy Kauftheil
Wright/Shabazz	Recognize Mt. Joy United Methodist Church 140 <sup>th</sup> Anniversary

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President. Thank you sir.

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

Mr. D. Brown: Nothing tonight Mr. President.

President Gregory: Thank you. Ms. Shabazz - #3879.

Mr. Freel: Mr. President, do you want me to do that Resolution?

President Gregory: Yes.

Mr. Freel: I have a Resolution to present on behalf of Council Member Hanifa Shabazz.

On behalf of Ms. Shabazz, Mr. Freel presented Resolution No. 13-069 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 which case the application shall be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

**WHEREAS**, the City has been approved by the State of Delaware Department of Natural Resources and Environmental Control, Division of Parks and Recreation to receive \$84,560 in grant funds for improvements at Brandywine Park to restore the Sugar Bowl Pavilion and such improvements are scheduled to run from September 12, 2013 through December 31, 2014; and

**WHEREAS**, the City is required to provide matching funds which will be provided by the Friends of Wilmington Parks, a 501(c)(3) non-profit, and other donors; and

**WHEREAS**, for timing purposes, the application for said grant had to be submitted in advance of City Council approval by resolution; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the use of the herein described \$84,560 in grant funds received from the State of Delaware for the restoration of the Sugar Bowl Pavilion in Brandywine Park be accepted and approved, and the Mayor or his designee, the Director of Parks and Recreation, and the City Clerk are hereby authorized to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Freel: Yes Mr. President, this is a grant that's being requested by our Parks & Recreation Department for \$84,560 from the Department Natural Resources and Environmental Control on a state level for the restoration of the Sugar Bowl Pavilion. There is some matching involved but that is being handled by The Friends of Wilmington Parks.

Ms. Walsh: Mr. President.

President Gregory: Ms. Walsh.

Ms. Walsh: I just want to make one comment on this. I think it should be recognized and we should mention David Hudson because if we didn't mention him tonight on this floor, I believe his ghost would come back and ruin all of our holidays but he was very instrumental in recognizing the Sugar Bowl and getting all of these motors moving and that's all I wanted.

President Gregory: Thank you for that remembrance. Clerk, call the roll.

Upon a motion of Mr. Freel, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Congo, Shabazz, and M. Brown. Total, three.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I have an Ordinance to read behalf of Councilman Michael Brown in his absence.

President Gregory: We're going to do that when his turn comes. Mr. Williams.

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

Mr. Williams presented and called for the first and second reading Ordinance No. 13-040 entitled:

AN ORDINANCE TO APPROVE A LARGE-SCALE  
REDEVELOPMENT PROJECT KNOWN AS THE  
"WILMINGTON FLATS REDEVELOPMENT"

This Ordinance was given two separate readings by title only and upon a motion of Mr. Williams and duly seconded, was received, recorded, and referred to the Housing, Licenses & Inspections Committee. Motion prevailed.

Mr. Williams presented and called for the first and second reading Ordinance No. 13-041 entitled:

AN ORDINANCE TO APPROVE THE REMOVAL AND  
DISPOSITION OF SPRINGER STREET FROM THE  
OFFICIAL CITY MAP

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

Mr. Williams presented Resolution No. 13-070 as follows:

**WHEREAS**, Ordinance No. 13-040 which, pursuant to Section 48-476 of the Wilmington City Code (the "Code"), approves the application and site plan for a large-scale redevelopment project submitted by the Woodlawn Trustees, Inc. was introduced by Council of the City of Wilmington (the "Council") at its regular meeting of November 21, 2013; and

**WHEREAS**, the City Planning Commission ("CPC") has reviewed the Woodlawn Trustees, Inc. application and site plan at its November 19, 2013 regular meeting and recommends approval of the plan subject to the conditions found in City Planning Commission's Resolution 9-13; and

**WHEREAS**, the City Council proposes to schedule a public hearing for review of Ordinance No. 13-040, 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. 13-040, or a Substitute thereto, to be held on December 12, 2013, at 6:30 p.m., in the City Council Chambers, to consider the proposed application and site plan for a large-scale redevelopment project submitted by the Woodlawn Trustees, Inc., named 'The Wilmington Flats,' being located generally upon the lands bounded by 4th, Ferris, 7th, Grant and Union Streets.

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

Mr. Williams: Mr. President, this allows us the opportunity to discuss this large-scale project that is being presented to the City by the Woodlawn Trustees and we have an open forum for discussion.

President Gregory: Okay. Clerk, call the roll.

Upon a motion of Mr. Williams, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Congo, Shabazz, and M. Brown. Total, three.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: I don't have anything sir. Thank you.

President Gregory: We're going to go to Mr. Brown and Ms. Walsh is going to do his first three and then you're going to come up -- #3883.

On behalf of Mr. M. Brown, Ms. Walsh presented Resolution No. 13-071 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending Section 2-363 of the Wilmington City Code, the Council of the City of Wilmington ("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 a grant application or proposal for funds prior to a regular meeting of Council, in which case the application

shall 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 (“WPD”), has sought to obtain grant funding from the State of Delaware Criminal Justice Council in the amount of \$52,698.00; and

**WHEREAS**, the said grant will be applied toward salaries for overtime for an anti-violence initiative (\$16,840.00) and a youth victim advocate (\$35,858.00); and

**WHEREAS**, the portion of the said grant for the youth victim advocate requires a local match in the amount of \$7,172.00; and

**WHEREAS**, for timing purposes, the grant application had to be submitted prior to Council approval; and

**WHEREAS**, even though the application for said grant has been submitted, the WPD must still take the affirmative step of accepting the funding should it be a successful applicant; and

**WHEREAS**, Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grant from the State of Delaware Criminal Justice Council in the amount of \$52,698.00, 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 Criminal Justice Council in the amount of fifty two thousand, six hundred and ninety-eight dollars (\$52,698.00).

Ms. Walsh: This is a grant - - number one, I’m doing this on behalf of the Public Safety Chair, Mr. Brown this evening. This is an application for a grant and there is a minimal amount that we have to come up with for the grant itself and that’s only \$7,100.

President Gregory: Clerk, call the roll please.

Upon a motion of Ms. Walsh, seconded by Mr. Freel, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Congo, Shabazz, and M. Brown. Total, three.

President Gregory: Declare it adopted. #3884.

On behalf of Mr. M. Brown, Ms. Walsh presented Resolution No. 13-072 as follows:

**WHEREAS**, pursuant to Section 1-104 of the City Charter, the City of Wilmington may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof; and

**WHEREAS**, Section 2-363 of the City Code requires that all City-sponsored grant applications and proposals shall be approved or ratified by resolution of City Council; and

**WHEREAS**, the City and the State of Delaware, Department of Transportation ("DeIDOT"), have substantially negotiated terms of an agreement under which DeIDOT would provide funds to the City in the amount of Sixty Six Thousand Dollars (\$66,000.00) for a period of approximately three months to enable the City to provide additional police officers to patrol the City, primarily in the vicinity of Rodney Square ("the Agreement") which, among other things, is an important transportation hub for DART bus service; and

**WHEREAS**, the Agreement is in the nature of a grant for which no matching funds are required.

**NOW, THEREFORE**, the City hereby is authorized to enter into an Agreement with the State of Delaware, Department of Transportation, under which DeIDOT would provide funds to the City in the amount of Sixty Six Thousand Dollars (\$66,000.00) for a period of approximately three months to enable the City to provide additional police officers to patrol the City, primarily in the vicinity of Rodney Square.

Ms. Walsh: Mr. President, this is the \$66,000 that DeIDOT has given us for three months for the Rodney Square initiative that the Mayor has going on for public safety.

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

Upon a motion of Ms. Walsh, seconded by Mr. Freel, 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, D. Brown, Prado, Dorsey Walker, Williams, Freel, Cabrera, Walsh, Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Congo, Shabazz, and M. Brown. Total, three.

President Gregory: Declare it adopted. #3885.

On behalf of Mr. M. Brown, Ms. Walsh presented and called for the first and second reading Ordinance No. 13-042 entitled:

**AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING TAKE HOME VEHICLES**

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

Ms. Walsh: And probably Transportation too I would guess. We have a Transportation Committee?

President Gregory: Public Works & Transportation? Public Safety will do it so we don't combine it. #3886\*, Ms. Dorsey Walker.

Ms Dorsey Walker: Mr. President, I have an Ordinance to present and call for the first and second reading on behalf of Councilman Michael A. Brown, Sr.

On behalf of Mr. M. Brown, Ms. Dorsey Walker presented and called for the first and second reading Ordinance No. 13-043\* entitled:

AN ORDINANCE TO APPROVE AND AUTHORIZE THE  
THIRD PARTY OPERATOR AGREEMENT BETWEEN  
THE CITY OF WILMINGTON AND LEASED ACCESS  
PRESERVATION ASSOCIATION

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

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: No, thank you.

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight Mr. President. Thank you so much sir.

President Gregory: And we'll go to petitions and communications.

**PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events and community projects in their districts. Council Members gave thanks to various departments and made comments on the following matters: shooting of the State Trooper and the need to work together with the Mayor, state and county to address crime as well as the need for individuals to get engaged and provide any information pertaining to the crime; greetings were expressed for the upcoming holidays and everyone was encouraged to shop at local businesses; construction on Union Street; and including but not limited to John F. Kennedy's 50<sup>th</sup> Anniversary.

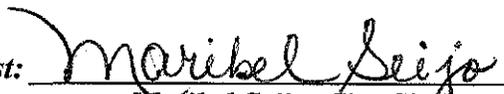
*\*Note: At the request of the Clerk and upon a motion of Ms. Dorsey Walker, seconded by Ms. Walsh, an administrative correction was made to agenda #3886 and duly noted and reflected in the aforementioned minutes herein to be corrected as Ordinance No. 13-043 (Third Party Operator Agreement) as oppose to Ordinance No. 13-044. Motion prevailed.*

President Gregory noted that Mr. Michael Brown remains in the hospital and asked that he be kept in our prayers. Also, Ms. Shabazz had a speech to give this evening. He added that we would pray for our city and pray for the Mayor and hope that we move forward and get some things done for the balance of this year and hopefully all of next year and moving forward.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Ms. Cabrera, Council adjourned at 7:46 p.m. Motion prevailed.

Attest:

  
Maribel Seijo, City Clerk

*City of Wilmington  
Louis L. Redding  
City/County Building  
December 5, 2013*

Council met in regular session on the above date at 6:30 p.m., President Pro Tempore Loretta Walsh 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, Wright, and Madame President Walsh. Total, twelve. Absent, Council President Gregory. Total, one.

A moment of silence was given in memory of Nelson R. Mandela.

### **MINUTES**

After reading a portion of the minutes of November 21, 2013, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

There was no committee reports presented this evening.

### **TREASURER'S REPORT**

The following Treasurer's Report dated December 5, 2013 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON December 5, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 207.38
106	Fire Pension Account	M & T Bank	\$ 4,684.35
107	Evidence/Found Currency Account	M & T Bank	\$ 125,657.85
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 141,477.03
117	Cement Workers	Wilmington Savings Fund	\$ 33,366.89
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,010.18
130	Payroll	M & T Bank	\$ 65,709.32
131	Pension Payroll Account	M & T Bank	\$ 43,607.05
139	Pension Healthcare Account	M & T Bank	\$ <u>1,213.08</u>
	Total Cash on Hand		\$ <b>441,634.27</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	12/05/13	0.01%	\$ 1.57	\$ 5,698,843.00
110	Capital <sup>2</sup>	TD	CD	12/06/13	0.25%	\$ 57.72	\$ 240,736.45
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	12/27/13	0.30%	\$ 1,415.38	\$ 5,555,000.00
106	Fire Pension	WSFS	CD	12/27/13	0.30%	\$ 425.51	\$ 1,670,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
110	Capital	WSFS	CD	02/05/14	0.30%	\$ 18,105.54	\$ 24,476,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
110	Capital	WSFS	CD	02/19/14	0.30%	\$ 2,515.07	\$ 3,400,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	03/03/14	0.25%	\$ 949.44	\$ 1,540,195.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
116	General	TD	CD	04/25/14	0.25%	\$ 1,816.44	\$ 1,700,000.00
116	General	WSFS	CD	06/10/14	0.30%	\$ 2,260.27	\$ 1,375,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
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104	Escrow Pension	Vanguard					\$ 21,026,580.00
104	Escrow Pension	Black Rock					\$ 54,551,296.00
104	Escrow Pension	Edgar Lomax					\$ 30,415,825.00
104	Escrow Pension	Wilmington Trust					\$ 35,085,552.00
104	Escrow Pension	Manning & Napier					\$ 22,569,521.00
104	Escrow Pension	Earnest Partners					\$ 13,699,328.00
104	Escrow Pension	GMO					\$ 11,477,987.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,342,601.00
116	Deferred Comp.	MassMutual					\$ 36,555,735.00
	Total Investments						\$ 326,108,533.55
	Total Cash on Hand						\$ 441,634.27
	Grand Total						\$ 326,550,167.82

<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 Ms. Shabazz, seconded by Mr. Williams/Mr. Prado, the following non-legislative resolutions were accepted into the record and motion prevailed:

M. Brown	Sympathy Alease Lilly
Chukwuocha	Recognize Youth Participants of Duffy's Hope
Prado	Retirement Michael R. Bundeck
Shabazz	Welcome Miles Jaye Davis

Upon a motion of Mr. M. Brown, seconded by Mr. Williams/Ms. Shabazz, Council suspended the rules in order to give a moment of silence in memory of Minerva Marrero. Motion prevailed.

## LEGISLATIVE BUSINESS

Madame President Walsh: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Madame President. Thank you.

Madame President Walsh: Thank you. Mr. Congo.

Mr. Congo: Nothing tonight. Thank you.

Madame President Walsh: Thank you. Mr. Darius Brown.

Mr. D. Brown: Yes Madame President, I have an Ordinance to present.

Mr. D. Brown presented and called for the first and second reading  
Ordinance No. 13-044 entitled:

### AN ORDINANCE TO AMEND CHAPTER 35 OF THE CITY CODE REGARDING CIVIL RIGHTS COMMISSION

This Ordinance was given two separate readings by title only and upon a motion of Mr. D. Brown, seconded by Mr. Williams, was received, recorded, and referred to the Education, Youth & Families Committee. Motion prevailed.

Madame President Walsh: Anything further?

Mr. D. Brown: Nothing else Madame President.

Madame President: You had your power tie on tonight so I thought maybe you had a couple other things on your desk.

Mr. D. Brown: Just power.

Madame President Walsh: Alright senator, thank you. Ms. Shabazz.

Ms. Shabazz: Yes Madame President, I have two Resolutions to present.

Ms. Shabazz presented Resolution No. 13-073 as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the "Second Amendment to License Agreement" between the **CITY OF WILMINGTON**, a municipal corporation of the State of Delaware, and **NEW CINGULAR WIRELESS PCS, LLC**, a Delaware limited liability company ("Cingular"), to continue to permit Cingular to operate and maintain personal communications equipment (including up to twelve antennas) on the City water tower located at 200 Presidential Drive, Greenville, Delaware (also known as Monroe Park), a copy of which, in substantial form, is attached hereto and made a part hereof, is hereby approved, and the Mayor or his designee and City Clerk are hereby authorized to execute as many copies of said Second Amendment to License Agreement as may be necessary.

Ms. Shabazz: Yes, this Resolution is being presented for Council's review and approval that would authorize the city to amend an existing agreement that permits Cingular Wireless PCS, LLC, to operate and maintain communications equipment at our city-owned water towers on Presidential Drive in Greenville. The term of the amendment is five-years beginning August 9, 2012 with one additional extension period of five-years and this Cingular Wireless will pay the city \$1,800 a month or approximately \$21,600 for the first five-years with there being a monthly payment to this the city with the increase annually by three percent.

Madame President Walsh: Council Member Mr. Darius Brown.

Mr. D. Brown: Thank you Madame President. Is there any community benefit to this contract like maybe supporting technology with Wilmington PD or around public safety or anything like that that's a part of this?

Ms. Shabazz: Nothing of that nature was brought out in discussion in the committee.

Mr. D. Brown: Okay.

Madame President Walsh: Anyone else? Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by 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, Wright, and Madame President Walsh. Total, twelve. Nays, none. Absent, Council President Gregory. Total, one.

Madame President Walsh: Resolution declared passed. You have another Resolution?

Ms. Shabazz: I do. I have another Resolution to present.

Ms. Shabazz presented Resolution No. 13-074 as follows:

**WHEREAS**, the City of Wilmington is now experiencing a pandemic of gun violence and homicides among young African American males; and

**WHEREAS**, according to a State of Delaware Criminal Justice Council Study of "Delaware Shootings 2012", it identified 196 shooting incidents in which the City of Wilmington accounted for more than 51.5% of state-wide incidents and more than 58.1% resulted in fatality; and

**WHEREAS**, the Study further found that African American males comprised 85.5% of all shooting suspects, with an average age of 23.9 years; and

**WHEREAS**, children and youth constantly exposed to gun violence may experience negative psychological effects of anger, post-traumatic stress, withdrawal and desensitization to violence; and

**WHEREAS**, it has become obvious that the negative psychological effects are plaguing the City of Wilmington through a continued cycle of violence; and

**WHEREAS**, it is imperative that national attention be given to the violence that plagues the lives of especially young African American males;

**WHEREAS**, the Centers for Disease Control and Prevention has a charge to protect America from health and safety threats in order to increase the health security of our nation, and now is such a time for Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the City Council respectfully requests that the Centers for Disease Control and Prevention examine and respond to the current surge in gun violence and help mitigate the effects it has on our children and youth throughout the City of Wilmington.

Ms. Shabazz: Yes Madame President, this Resolution is requesting that the federal government Department of Health and Human Services through the Centers for Disease Control and Prevention study the increasing gun violence among African American males in Wilmington, Delaware. The Resolution is focusing on the surge of gun violence and its impact on the City of Wilmington. I think today when we had - - just the presentation today with Duffy's Hope that they saw with dealing with young people on a consistent basis, they saw the need of addressing the trauma that our young people are dealing with. There is a well known fact that the African American community here in the United States of America is still suffering from a traumatic syndrome of slavery and so that compounded with the many effects that are happening in today's society with our young people, the things that they are seeing that there is definitely a shift of its mental capacity to make good decisions in resulting in the gun

violence. Last year, Madame President, I did a Resolution requesting that a study be done on this exact point and with the hope that we would get some response that would send more support to address the ill affect and not gear towards mental illness that our young people are suffering for them just to be able to take life so aimlessly.

I'd like to ask everyone, I don't know if they saw the movie "The Twelve Years of Slavery", there was a scene there where the (inaudible) was left hanging all day long and he had to stand on his tippy toes to survive until someone cut him down and in that scene you saw the many other enslaved individuals who just went about their business as they saw that trauma. The children just played as if there was nothing else happening. But that mentally is still going on in our community today. We're asking that the CDC come into the City of Wilmington and evaluate what is causing this because it's not a natural phenomenal. That is not the nature of the African American to act in self destruction. So they would come into our community and address the issues, support programs like Duffy's Hope that it took the young people that were here today and address the trauma that they're suffering with so they can forth and have a good quality of life. I ask that my colleagues see the value of this and that they support this support and we hope that as they did the lower Delaware, their CDC came and examined the situation of the suicide that were occurring among teens in lower Delaware, that they see the same importance of doing that here with the homicides that we're suffering from and they come and give us some solutions and resources because that's main what's necessary to address from a grass root perspective as Duffy is doing. So that we can turn our children around and that we can continue on the development in the City of Wilmington.

Madame President Walsh: Thank you Council Member. Council Member Williams.

Mr. Williams: Thank you Ms. President. I'm going to try to speak as clearly as I can. I've lost my voice today. I want to be a co-sponsor on this if that's okay with the sponsor.

Ms. Shabazz: Absolutely.

City Clerk Seijo: So noted.

Mr. Williams: My theory is this. We're (inaudible) take any means necessary to try and resolve this conflict. And, that means reaching out to any entity, federal, local or state to help us to understand what's going on in our city. So, I support this because we need answers. We need any answer that we can get our (inaudible). Thank you.

Madame President Walsh: Thank you. Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you Madame Chair. I concur with both Councilwoman Shabazz as well as Councilman Williams and I too with the permission of Councilwoman Shabazz, I would like to be a co-sponsor on this legislation.

Ms. Shabazz: Certainly.

City Clerk Seijo: So noted.

Ms. Dorsey Walker: Thank you.

Madame President Walsh: Council Member Cabrera.

Ms. Cabrera: I too would like to be added and I liked what you said...

City Clerk Seijo: So noted.

Ms. Cabrera: ...it's an unnatural phenomenon and we do need to deal with this.

Madame President Walsh: Council Member Wright.

Mr. Wright: Can you add me too please?

Madame President Walsh: Yes.

City Clerk Seijo: So noted.

Mr. Wright: Co-sponsor.

Madame President Walsh: Yes, Council Member Chukwuocha.

Mr. Chukwuocha: I also would like to be added as a co-sponsor and I agree with my colleagues that as much attention that we can bring to this issue would behoove our city and hopefully bring the needed resources and support to allow us to address this issue for our children. Thank you.

Madame President Walsh: Thank you. I would like to be added also please if it's agreeable with the sponsor.

City Clerk Seijo: So noted.

Mr. M. Brown: Madame President, so would I.

Madame President Walsh: Council Member Michael Brown.

Mr. M. Brown: Senior.

Madame President Walsh: Senior. Okay, Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by 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, Wright, and Madame President Walsh. Total, twelve. Nays, none. Absent, Council President Gregory. Total, one.

Madame President Walsh: Declare it passed. Thank you. We're still on legislation, Mr. Prado.

Mr. Prado: Nothing tonight Madame President.

Madame President Walsh: Ms. Dorsey Walker.

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

Madame President Walsh: Mr. Williams.

Mr. Williams: Thank you, nothing tonight.

Madame President Walsh: Mr. Freel.

Mr. Freel: Nothing tonight. Thank you.

Madame President Walsh: Mr. Michael Brown.

Mr. M. Brown: Yes Madame President, nothing tonight. Thank you.

Madame President Walsh: Thank you. Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

Madame President Walsh: Thank you.

Mr. Wright: Ms. Cabrera – I mean.

Ms. Cabrera: Nothing this evening Madame Chair, President.

Madame President Walsh: I did skip you, didn't I? I'm sorry.

Ms. Cabrera: You did.

Madame President Walsh: Thank you Ms. Cabrera for understanding. That was all the legislation we have. We will go now to communications and if everyone doesn't mind, I will go first.

### PETITIONS AND COMMUNICATIONS

Council Members announced committee and civic meetings, community events and community projects in their districts. Council Members expressed sympathies to individuals in their districts including but not limited to Ms. Minerva Marrero who was a city employee for many years. Council Members gave thanks to various departments and individuals for assisting with resolving matters and/or assisting with events. Council Members made comments on the following matters: the need for minimum wage pay to be increased; donations needed for Toys for Tots; retirement of Master Corporal Alvin Boardley; free parking downtown until December 31<sup>st</sup>; the ongoing crime and shootings occurring in the City of Wilmington and the need for the City to work together with the state, county and courts and including but not limited to the need for the News Journal to publish some positive things taking place in the City and not just the negative issues.

Mr. Michael Brown presented the following communication into the record, which is incorporated herein on Page 11:

*[This space intentionally left blank]*



## City of Wilmington

Michael A. Brown, Sr.  
City Council Member At Large

Louis L. Redding City/County Building  
800 N. French Street  
Wilmington, Delaware 19801-3537

phone (302) 576-2140  
fax (302) 571-4071  
www.WilmingtonDE.gov

December 4, 2013

The Honorable Charles M. Oberly, III  
U.S. Attorney's Office  
1007 Orange Street  
Suite 700  
Wilmington, DE 19801

Dear Mr. Oberly:

I am writing you this letter to inquire on the status of the Federal Enforcement and Detention/Urban Policing Program, also known as Operation FED UP.

As you are well aware, this joint law enforcement initiative between the City of Wilmington and the US Attorney's Office was highly successful in its efforts to prosecute criminals unlawfully possessing firearms, and thereby reducing gun violence in our City.

In a recent meeting with City Solicitor Michael Migliore and Public Safety Consultant Richard Iardella, I was told that Operation FED UP no longer exist as we knew it, and that it is now titled the Wilmington Initiative. Further statements were made to indicate that FED UP was renamed due to its negative perception with the judiciary.

I know that you have been a long proponent of Operation FED UP, and I would like to personally thank you for your cooperation over the years. Could you provide clarification on the status of the program and how it's managed today?

Thank you in advance for your attention to this matter and I look forward to hearing from you soon.

Regards,

Michael A. Brown, Sr.  
Public Safety Committee Chair

Committee Chair  
Public Safety

Committee Member  
Education, Youth & Families  
Finance  
Public Works & Transportation  
Wilmington Cable, Video and Telecommunications Commission

Residence  
700 S. Rodney Street  
Wilmington, Delaware 19805  
phone (302) 655-5309

Upon a motion of Mr. M. Brown, seconded by Mr. Williams, the above  
aforementioned communication was received, recorded, and filed. Motion prevailed.

**ADJOURNMENT**

Upon a motion of Mr. Freel, seconded by Mr. Williams, Council  
adjourned at 7:44 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk

*City of Wilmington  
Louis L. Redding  
City/County Building  
December 12, 2013*

Council met in regular session on the above date at 6:30 p.m., President Theopolis 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\*, Wright and Council President Gregory. Total, twelve. Absent, Council Member Walsh. Total, one.

### **MINUTES**

After reading a portion of the minutes of December 5, 2013, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Mr. Chukwuocha presented the following committee report:

<b><u>Education, Youth &amp; Families Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.		X	
Maria D. Cabrera		X	
Ernest "Trippi" Congo, II	X		
Hanifa G.N. Shabazz			
Sherry Dorsey Walker	X		

December 11, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 4:30 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Introduction of Nicole Adams, Parks & Recreation Family Services Director
- Job Training Program for At-Risk Youth Presentation
- Reach Academy Presentation

Respectfully submitted, Members of  
Education, Youth & Families Committee  
/s/Nnamdi O. Chukwuocha, Chair  
/s/Ernest "Trippi" Congo, II  
/s/Sherry Dorsey Walker

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

Mr. Freel presented the following two-committee reports:

Finance Committee Member	Present	Absent with Leave	Absent w/out Leave
Charles M. "Bud" Freel	X		
Michael A. Brown Sr.	X		
Samuel Prado		X	
Hanifa G.N. Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

December 9, 2013

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-038** entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 TO THE FISCAL YEAR 2014 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 13-013, AS AMENDED), THE ORDINANCE ADOPTING THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa G.N. Shabazz  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

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

December 9, 2013

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-039**  
 entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO  
 EXTEND CONTRACT PD05006 – PARKING VIOLATION  
 PROCESSING AND COLLECTION SYSTEM WITH XEROX  
 STATE AND LOCAL SOLUTIONS, INC.

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

Respectfully submitted, Members of  
 Finance Committee  
 /s/Charles M. Freel, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Hanifa G.N. Shabazz  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

Ms. Shabazz presented the following committee report:

<u>Public Works &amp; 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		

December 4, 2013

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. 13-041** entitled:

AN ORDINANCE TO APPROVE THE REMOVAL AND  
DISPOSITION OF SPRINGER STREET FROM THE  
OFFICIAL CITY MAP

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

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

Mr. Freel presented the following committee report:

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

December 9, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-043** entitled:

AN ORDINANCE TO APPROVE AND AUTHORIZE THE THIRD  
PARTY OPERATOR AGREEMENT BETWEEN THE CITY OF  
WILMINGTON AND LEASED ACCESS PRESERVATION  
ASSOCIATION

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

#### **TREASURER'S REPORT**

The following Treasurer's Report dated December 12, 2013 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON December 12, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 207.38
106	Fire Pension Account	M & T Bank	\$ 4,684.35
107	Evidence/Found Currency Account	M & T Bank	\$ 125,657.85
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 243,533.59
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 41,491.19
117	Cement Workers	Wilmington Savings Fund	\$ 33,369.71
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,010.18
130	Payroll	M & T Bank	\$ 60,913.08
131	Pension Payroll Account	M & T Bank	\$ 42,727.30
139	Pension Healthcare Account	M & T Bank	\$ <u>1,213.08</u>
	Total Cash on Hand		\$ <b>576,769.43</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	12/12/13	0.01%	\$ 1.56	\$ 5,682,902.00
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	12/27/13	0.30%	\$ 1,415.38	\$ 5,555,000.00
106	Fire Pension	WSFS	CD	12/27/13	0.30%	\$ 425.51	\$ 1,670,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
110	Capital	WSFS	CD	02/05/14	0.30%	\$ 18,105.54	\$ 24,476,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
110	Capital	WSFS	CD	02/19/14	0.30%	\$ 2,515.07	\$ 3,400,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	03/03/14	0.25%	\$ 949.44	\$ 1,540,195.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
116	General	TD	CD	04/25/14	0.25%	\$ 1,816.44	\$ 1,700,000.00
116	General	WSFS	CD	06/10/14	0.30%	\$ 2,260.27	\$ 1,375,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,495,284.00
104	Escrow Pension	Vanguard					\$ 21,600,802.00
104	Escrow Pension	Black Rock					\$ 55,258,679.00
104	Escrow Pension	Edgar Lomax					\$ 31,318,785.00
104	Escrow Pension	Wilmington Trust					\$ 35,096,577.00
104	Escrow Pension	Manning & Napier					\$ 22,665,934.00
104	Escrow Pension	Earnest Partners					\$ 13,954,753.00
104	Escrow Pension	GMO					\$ 11,555,738.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,481,613.00
116	Deferred Comp.	MassMutual					\$ 36,437,080.00
	Total Investments						\$ 328,493,508.10
	Total Cash on Hand						\$ 576,769.43
	Grand Total						\$ 329,070,277.53

<sup>1</sup> Budget Reserve  
<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

**NON-LEGISLATIVE BUSINESS**

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

All Council	Sympathy Nathan "Doc" Hill
All Council	Sympathy Minerva Marrero
D. Brown	Sympathy Nelson Mandela
Shabazz	Sympathy Theodora Elizabeth Keeling
Walsh	Retirement Joseph Hemphill

\*Note: At this time, Councilman Congo was marked present.

President Gregory: We have one to read into the record.

Sympathy Resolution for Nelson Mandela was read into the record as follows:

*December 12, 2013*

***Sponsors:*** Council Member Darius J. Brown, Council President Theopolis K. Gregory, Sr., Council Members Nnamdi O. Chukwuocha, Ernest "Trippi" Congo, II, Hanifa G.N. Shabazz, Samuel Prado, Sherry Dorsey Walker, Robert A. Williams, Charles "Bud" Freel, Michael A. Brown, Sr., Maria D. Cabrera, Loretta Walsh and Justen A. Wright

***Whereas,*** The world has lost a great man, a peacemaker, leader, pioneer and friend, THE HONORABLE NELSON ROLIHLEHLA MANDELA; and

***Whereas,*** Mr. Mandela, a longtime advocate for eradicating the injustices of apartheid and raising the quality of life for people worldwide, served with compassion, dignity and vigor for his beloved South Africa; and

***Whereas,*** The world watched as Nelson R. Mandela quietly walked the road to "freedom" after being imprisoned 27 years for his determination to lead his country out of decades of apartheid. He was awarded the Nobel Peace Prize in 1993 along with South African President F.W. de Klerk, for transitioning the nation from a system of racial segregation to a democratic South Africa; and

***Whereas,*** Mr. Mandela was the "first" black President of South Africa. He served from 1994 to 1999, and continued to be a voice for development nations. He concluded nearly six decades of political activism. He published his autobiography in 1995, invited other political parties to join the cabinet of the government of National Unity, and founded the Truth and Reconciliation Commission to investigate past human rights abuses. His administration introduced measures to encourage land reform, combat poverty and expand healthcare services. He acted as mediator between Libya and the United

Kingdom in the Pan Am Flight 103 bombing trial and oversaw military intervention in Lesotho – just to name a few; and

*Whereas*, Mr. Mandela, an icon of true “political correctness,” never gave up or gave in. He will be dearly missed by the many, many nations who were benefactors of his kindness, knowledge and accomplishments.

*Now, Therefore, Be It Resolved By The Council Of The City Of Wilmington*, that this Council joins the innumerable out-pouring of love, sympathy and prayers to the family of The Honorable Nelson R. Mandela.

/s/Maribel Seijo, City Clerk

/s/Brenda James-Roberts, Senior First Assistant City Solicitor

### LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

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

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Nothing tonight.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Nothing tonight. Thank you.

President Gregory: Mr. Prado.

Mr. Williams: Absent.

President Gregory: Ms. Dorsey Walker.

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

President Gregory: Mr. Williams.

Mr. Williams: Mr. President, I move that Council dissolve into the Committee of the Whole for the purpose of holding a public hearing on a large-scale redevelopment project known as “The Wilmington Flats”.

Upon a motion of Mr. Williams, seconded by Ms. Shabazz, Council dissolved into the Committee of the Whole for the purpose of holding a public hearing. Motion prevailed.

**PUBLIC HEARING**  
**APPROVE A LARGE-SCALE REDEVELOPMENT PROJECT KNOWN AS**  
**“THE WILMINGTON FLATS” (ORDINANCE NO. 13-040)**

The City Clerk read the Affidavit of Publication. Upon a motion of Mr. Williams, seconded by Mr. M. Brown, the Affidavit of Publication was made a part of the record and is on file in the City Clerk’s Office. Motion prevailed.

The City Clerk read the Planning Commission Report. Upon a motion of Mr. Williams, seconded by Ms. Shabazz, the Planning Commission Report was made a part of the record and is on file in the City Clerk’s Office. Motion prevailed.

President Gregory: Who’s going to speak to it from the Planning Commission?

**Department of Planning Representative:** Good evening, my name is Mike Leventry. I’m with the Planning Department. The Woodlawn Trustee, Incorporated has submitted a large-scale redevelopment plan to rebuild their Flats neighborhood apartment community. It should be noted that the large-scale redevelopment project is within the R-3 zoning district and it’s also proposing to move Springer Street. To summarize The Wilmington Flats proposal is: roughly bounded by 4<sup>th</sup> Street, 9<sup>th</sup> Street, Ferris Street and Union Street and located just west of the Little Italy neighborhood, it’s currently comprised of 430 existing apartment units. They will be replaced by 450 new apartment units on a total of 11 city blocks. Those existing units have been deemed small, energy inefficient and just generally not markable by today’s standards and under code by building standards. The project will phased over the course of 10-years and will require the vacation of Springer Street as I just mentioned.

I’m going to digress for just a moment to talk about Springer Street. The Department of Planning did an interdepartmental review with regards to the vacation of Springer Street. When it is or if it is I should say vacated, four blocks will be combining the two elongated blocks for the purpose of accommodating this proposal with the plans they have created with regard to the building and site layout. Within the interdepartmental review which included the Departments of L&I, Public Works and Fire, we have a number of, well a number of comments that we’ve collected, the Department of Fire had no adverse comments and actually noted that this (inaudible) situation, due to the fact that Springer’s Street right-of-ways is constrained and they have a problem negotiating the width of that street with some of their larger apparatus. With regards to Public Works’ people, knows there is infrastructure located within Springer Street and the applicant, Woodlawn Trustees, will have to work with the Department of Public Works moving forward to properly relocate that infrastructure.

It should be noted that there will no impact to the residents along Springer Street because all residences that use Springer Street are part of "The Flats" community and when Springer Street is indeed vacated and removed, those neighboring or adjacent residences will also be redeveloped as part of "The Flats" redevelopment project. That going back to the project, it should be noted that the inner blocks of the proposal will have taller apartment buildings between 3 and 4 stories in height. The Planning Department's analysis know that the overall design meshes well with the surrounding neighborhoods from a scale standpoint because the outer blocks will have a lower height that will blend or mesh well with the surrounding character if you will of the neighborhoods that down or butt up against "The Flats" neighborhood. Within the proposal the Trustees are proposing 390 off street parking spaces. Currently, I believe there are roughly 2 dozen off street parking spaces, so that would greatly alleviate the parking situation that "The Flats" neighborhood currently has. To again mesh the neighborhood, "The Flats" neighborhood with the Union Street commercial corridor, "The Flats" proposal is proposing 2 mixed used commercial buildings at the intersection of Union Street and 6<sup>th</sup> Street. Those mixed used buildings will not from what I've been told by the applicant, will not have any commercial uses but rather would house public services for "The Flats" neighborhood as well as adjacent neighborhoods.

The parking lots that are proposed along Union Street will accommodate the residents of the neighborhood but will also be used for or can be used by the businesses along Union Street, which have often noted the fact that parking is a scarce commodity for their commercial corridor. Now per Code Section 48-476 pertaining to large-scale redevelopments, the Woodlawn Trustees have gone through the following process and received the following approvals leading to the City Council consideration for their proposal. The Zoning Board of Adjustment approved a parking variance on November 13<sup>th</sup> for their proposal. As was noted earlier, the Planning Department Analysis dated November 15<sup>th</sup> recommends approval with conditions. It should be noted that the analysis that was done by the Planning Department was also an interdepartmental analysis. We solicited comments from the Fire Department, which requested that the Trustees install rolled curb and gutter within the internal corridors – vehicular corridors within their proposal. Licenses & Inspections noted that they had no adverse comments with regard to their proposal and confirmed compliance for the proposal with Code Section 48-476.

Public Works required utility design coordination between the Department of Public Works and the Woodlawn Trustees designers and engineers and noted the fact that street tree installation and stormwater manholes will have to be addressed within the design phase of the project and the Department of Planning had the following comments with regards to the proposal: developer agreements for utilities and street lights will need to be crafted; coordination with the Department of Public Works and the City with the applicant should occur or is recommended to occur to address safety concerns at the intersection of 8<sup>th</sup> Street, Grant Street and at Bancroft Parkway; we requested a tot-lot relocated to a more central location within the proposal to better accommodate all the residents within "The Flats" neighborhood; we requested a various locations additional street lights and bike racks be installed for residents and safety; we noted landscaping requirements for all parking lots that are to be constructed; and we requested additional construction details when they become available for variance zonings in the proposal;

(inaudible) requested that salvage and demolition or I should say, demolition materials be salvage from the existing flats whenever possible; and finally we strongly urged the Woodlawn Trustees to utilize Wilmington based labor as much as possible for the construction of this proposal.

Moving on to other items that the Trustees with this proposal have addressed, just taking a step back for a moment. I did received from the Trustees this afternoon an agreement, a letter clarifying and agreeing to all the conditions that were stipulated within the Planning Department's analysis. But moving on, it should be noted also that the Woodlawn Trustees went to Design Review and Preservation Commission and got approval of design, the architectural design of all their buildings and that approval occurred on August 15<sup>th</sup> and then finally as was noted earlier, the City Council's joint Housing, Licenses & Inspections and Public Works and Transportation Committee recommended approval at its meeting for December 4<sup>th</sup> all per code sections requirements of 48-476. That concludes my presentation. I'd be happy to answer any questions at this time.

President Gregory: Any questions from Council? Any questions from the public? Thank you very much.

Mr. Leventry: Thank you.

President Gregory: Public, question? You have to come - - you can't ask your question from back there. You have to come up here. Excuse me, you have to come on the floor. Just identify yourself and ask your question.

Mr. Church: You said that you guys were going to raise the Springer Street between those properties? And you said that what you were going to have on the out skirts that would be Union Street. Now, my question to you is this, you're going to build four story apartment buildings? So, what would happen...

President Gregory: Excuse me. I'm out of order. You can go sit down.

Mr. Church: Ok.

President Gregory: The questions come from the Council. Now, you can make any comments you want for or against. Let me correct myself before it goes too far.

Mr. Church: I have no further questions.

President Gregory: Thank you. Anybody else "for" or "against"? Mr. Davis. Mr. Davis, could you tell me whether you are "for" or "against"?

Mr. Davis: Against.

President Gregory: Alright. We're going to have all the "against" go first and then all the "for" will go next. My apologies, this is the second public hearing I've had in I guess ten months but we'll get it right.

### **AGAINST**

Mr. Davis: Yes sir. My name is Dwight L. Davis and what I've heard on the radio and what I'm hearing this evening causes for great concern primarily because there's certain things that haven't been discussed. Number one, there hasn't been any discussion of the relocation of the families that live in these developments. That's a great concern, I'm not sure whether there is any federal money involved this project that requires a redevelopment or relocation of the families that live there. Secondly, there's a big concern with a ten to fifteen year project. I guess the easiest way to relocate the people is to tear down their homes and I'm not certain what I'm hearing is that the demolition of the homes will take place, I guess from what I'm reading in this Resolution, it says this is the approved any and all permits whether or not the permits will allow the demolition of these apartment complexes and in the first year and we'll be looking at empty lots until they decide to build and years seven, eight, nine or ten. So, I'd like to hear some questions surrounding federal money, relocation of the families, and what type of guarantees if any that the same type of individuals that's living there now, will be able to afford to come back and live in that community. Now, I know that Section 8 is becoming a thing of the (inaudible), but there is such a thing called mark to market, which is a new concept and this concept requires that if there is any subsidized of the rents that in fact the individuals receiving the subsidy will have to have a higher income level. So, it will be no more of federal subsidy where they're paying, the government is paying 90% of your rent. The government might be paying 50% of your rent and your rent has to be market rent. So, I don't know who's speaking for these people from 4<sup>th</sup> to 9<sup>th</sup> but just what I'm hearing, I would just ask Council to hold off on this vote until some more questions is raised and some satisfactory answers are provided. Thank you.

President Gregory: Anyone else "against"? I'm going to allow folks to speak "for" now, which will give the project folk an opportunity to speak. You're "against"? You're "for". So you can speak "for" and if someone from the project wants to speak "for", you're more than welcome to address what you think needs to be addressed. Come on up please Ms. Garris. Mark Maria Cabrera present.

\*Note: At this time, Council Member Maria D. Cabrera was marked present.

### **FOR**

Ms. Marla Garris: Thank you Council for the opportunity to speak for Woodlawn Trustee project for redeveloping "The Flats". I'm a member of Woodlawn Library and I have been for 50 years. I can vividly remember my mother walking me through Bancroft Parkway on my way to Lewis School and the memories really about the esthetics on Woodlawn and Bancroft Parkway will always be remembered by me. My mother was there at Lewis School to pick me up at 12:00 noon, of course we had a half-day of kindergarten, and on our way back we would stop at Woodlawn Library. That was my treat for the day, for being good in school. I've spoken to individuals in the

administration over at Woodlawn Trustees to give them my support about the project. I do live in the community, I live on Union Street. I have seen in the years how that neighborhood has deteriorated, not only with the population but with the housing. I would recommend to the members of Council to support the development of the new housing. Yes it would take about ten to fifteen years but it is well worth it and past the time. I also would like to speak about the Woodlawn Library. I've spoken to my City Councilman and I would like to see something saved from the old library. It doesn't really matter to me whether not it's furniture, bricks or whatever but because it's such a deep memory for me and it means a lot to me about the old Woodlawn Library, I would just like for something to be preserved from that original library. Besides that, I just would tell Council that - just think about the families. We need to really put the neighbor back into neighborhood and since I've been in that particular area basically all over this city, we've kind of lost that. We no longer know to treat our neighbors as neighbors. So, hopefully not only with the new housing that would take place that we can also look at other areas. We've done it to HOPE IV over in the bucket, now Woodlawn Trustees is bringing a new set of housing to the Westside and really West Center City is past due for re-housing. A lot of the times you have to tear down the old in order to bring the new. So, let's keep that in mind. It's nothing new that hasn't been done with HUD. There's a project "Rebuilt by Design" that has been done after hurricane Sandy and a lot of the things I'm sure the Planning Department can probably look into that, we need to rebuild our city and make Wilmington really again "A Place to be Somebody". Thank you.

President Gregory: Thank you. Anyone else "for" the project? Is someone from the development group want to speak "for" the project?

Mr. Vernon Green: Vernon Green and Lisa Goodman for Woodlawn Trustees. Mr. Davis I have a specific answers to some of your questions.

President Gregory: Direct your response to the Chair please and to the Council people.

Mr. Green: I apologize. The question came up as far as what we're planning on doing and Woodlawn has a 100 year history of providing affordable housing here in the City of Wilmington and that would not change. What we're doing is we are doing this in several phases. Right now this plan is being a total of seven different phases and the idea is we're doing in phases so that we do not have to go through a relocation of our residents. Our residents are planning on being within our community. We will take them from some of the buildings and moving into other ones. So, they remain a part of our community. I think that was the biggest concern that we've had and we've even answered that question repeatedly to every single meeting and we're committed to it.

President Gregory: Thank you.

Ms. Goodman: Mr. Chair, Mr. President, we're happy to answer any other questions that Council might have. We had a full and complete hearing at committee on this. Councilman Williams was there and has been intimately involved in this project all

along. The project is designed to not displace anyone. It is designed to as close as possible to replicate the look and the feel of the existing "Flats" to honor the 100 year tradition of providing affordable housing and to continue to do so. It is been thoroughly vetted by the DRPC, by the Planning Commission, by two committees of this Council and by many, many individuals meetings with the communities. We look forward to working with the communities on this project and we're happy to answer any questions that Council might have.

President Gregory: Thank you. Anyone else to speak "for"? Let me just remind Council, there's been an opportunity to speak and ask questions now. When we go back to into regular order business, there will be another opportunity to speak to the legislation but not necessary to ask questions. Mr. Freel.

Mr. Freel: Yes, I was just hoping that you would go ahead and explain a little bit also about the demolition that it doesn't all happen at once and how that would work.

Ms. Goodman: Correct. The project is proposed to be done in seven phases and because there is a natural turnover of residents because this is affordable housing, folks save up money and in a perfect world they are able to buy their own houses or move on to other areas of the city and so Woodlawn has planned to as those vacancies come up and they're ready to begin a phase, to hold off renting those units so they can move folks. That would allow orderly demolition and rebuild of "The Flats" one phase at a time. So, it would not in fact be the case that 11 blocks would be demo at once. It would be done phase by phase very carefully in a very controlled way so that the heart of "The Flats" is always up and occupied because that is Woodlawn's driving mission is to provide housing.

Mr. Freel: Thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you. Can you speak to what's the concern of the current residents being able to still afford the rent for these newly developed properties?

Ms. Goodman: Yes. The short answer is that this will continue to be affordable housing. It has been, it was Mr. Bancroft's original vision to provide safe and sanitary affordable housing and the plan is and it's Woodlawn's primary mission to provide affordable housing and this will continue to be affordable housing.

President Gregory: But also under Councilperson Hanifa Shabazz's leadership and I know that I've heard Darius Brown's, Mr. Browns' voice on this, I've heard Ms. Dorsey Walker's voice and Mr. Williams' and I believe Mr. Wright earlier today talk about employment and so that folks know we're in the process of initiating a (inaudible) to it. You're going to speak to it?

Ms. Goodman: Yes.

President Gregory: Ok. So the employment issue is being address and Ms. Shabazz can speak to that at the appropriate time. Mr. Wright.

Mr. Wright: Thank you Mr. President. Can you speak to, I know in the committee meeting you expressed the dimensions of the current residences that are there or apartment sizes and how you plan to renovate and enlarge those apartments, can you speak to that?

Ms. Goodman: Yes. I'ma allow Mr. ....

Mr. Wright: As well as the structure that you will be keeping for historical purposes.

Mr. Green: Yes, the average increase in size of the units is going to be about 30%. Some of our units are as small as about close to 500 square feet. We have bedrooms quite honestly that are sizes of some people's walk-in closets, thus the need to make a change. We are committed to provide the same type of housing that already exist, just larger in size and much more energy efficient. There's also a block that is not being demolition and it's at the 700 block of Bancroft Parkway, which actually captured all of the designed that we use in "The Flats" right down to the granite exposed foundation, front and rear entry basements and a very reasonable floor plan. These buildings will built just a little differently and they're actually going to be able to be retro so that they will be able to be kept in appearance quite honestly the same as they are today and the inside brought up to today's standards.

President Gregory: Mr. Wright.

Mr. Wright: Yes sir. Can you also speak to parking?

Ms. Goodman: My favorite subject. Currently we have about 36 off-street parking spaces. Everything else is really we're relying on on-street parking. We're going from 36 to excessive 360. Ten times the number of parking spaces, which frees up an immense amount of on-street parking for residents in our community, around our community, our neighbors and for the businesses that are in the district as well.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. In our committee meeting we had extensive conversation regarding local hire. Ten years of construction means a possible career for individuals. Could you share with everyone about the things – the position you have in place to ensure that all the way down to the subcontractors that there will be a great encouragement for local hire and even your committed support of assuring that there was proper work for this development to ensure our local hire qualify for those skills.

Mr. Green: I can tell you that we are truly excited that this is going to be an opportunity for Wilmingtonians to have jobs. Construction jobs, jobs that will be hopefully will also grow around the area as I think the Westside become that more of a stronger part of the city. We have met with some of the local contractors, some of the local contractor unions, Local 55, gentlemen, thank you so much for being here. We are truly committed to making sure that Wilmington jobs are part of this project not all over the world. We would hope that the economy would get to be so great that we would have to try to figure out where we're going to find our Wilmington workers. I think the idea is that we have training programs that are already place that have a true commitment of making people available as well as skill labor and we're truly committed that through our general contractors and the subcontractors, we're going to make sure that they look at Wilmington first.

Ms. Shabazz: If I may Mr. Chair.

President Gregory: Yes.

Ms. Shabazz: The way that you would do that would not just be in gentlemen agreement, will there be any type of documented requirement that they do - - get down your general and your subs adhere to local hiring practices?

Mr. Green: Yes, we're working on those documents literally as we speak and we're looking to make those demands rather strong.

Ms. Shabazz: Thank you.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. What is the total cost of the project?

Mr. Green: In today's dollars, we're looking it may exceed one hundred million dollars.

Mr. D. Brown: How much has currently been raised?

Mr. Green: We're into the financing part right now. Where the great part is, is that we own the land. So we have no acquisition costs.

Mr. D. Brown: Have you have the dollars to fund to the first phase of the project?

Mr. Green: Not as of yet. We'll be going for financing as we go through the next year.

Ms. Goodman: Councilman, it is important to note that when one goes out for this type of financing, one must first have the approvals before one can actually apply for the financing. So, this is a very carefully thought out process to align this project as so many other projects get aligned to avail the project of that financing stream that is out there but we cannot go forward until we have hopefully tonight the blessing of this body.

President Gregory: Mr. Williams.

Mr. Williams: Can you speak briefly about personal safety and public safety surrounding your proposal.

Mr. Green: Happy to. When we were talking to our residents when we first thought about this project about a year ago, one of the very first things they mentioned was, they felt very safe in their neighborhood but they felt the city was changing and wanted to know if would start doing things like incorporating security measures. So, we have already begun that and would be making it as part of the project. We're looking to do additional video surveillance that hopefully would be sophisticated enough that we would be able to tie into the city and have the city be able to do the same type of items. The other thing that we're looking at is all of the buildings that are going to be built will have full sprinkler systems as being a requirement of the building. Even if the code at this point does not call for that, that's part of what we're mandating.

Mr. Williams: Just a follow-up if I can.

President Gregory: Mr. Williams.

Mr. Williams: As the Councilman I frequently hear complaints from residents and passerby in referenced to trash collection and just a breed that seems to accumulate on the ends of the road, what plans do you have to combat that and is there any community area that's going to be available for members of the community to partake?

Mr. Green: Yes, as far as the trash and we feel that pain literally everyday and it's not just people local that shall we say move the trash to the end of the street, we actually have people coming in from other areas just literally putting the trash up because they know we'll pick it up. What we're looking to do is internalize the trash collection so we'll have actual areas within the parking lot that are sheltered within the buildings that will have a dumpster area as well as the areas for reclamation so that we'll be able to keep off the streets, out of site and well maintained.

Mr. Williams: Just a quick about any public space for....

Mr. Green: Yes. Part of what we're going to be doing is we're going to add two additional parking - - pocket parks that will be actually located just off of 6<sup>th</sup> Street. Again, one of the things we're able to is to have a little bit more open space and part of Woodlawn's mission is also the preservation the creation of open spaces.

Mr. Williams: Just a quick follow-up. I know in the committee there was some discussion about community space for meetings and maybe a flu clinic or something along that line. Could you speak a little bit about that?

Mr. Green: Yes. It was mentioned by Mike Leventry when he was up here earlier. Over on 6<sup>th</sup> Street, actually on the eastside of 6<sup>th</sup> Street on Union, there are two buildings that are being set there that are commercial in design but the intent there is strictly for community services not just for our residences but those people that live in the area. That will be community space for meetings as well as perhaps health clinics, after school reading programs, the type of thing that we don't have spaces for right now within the city that we'll be able to make some allocation space for those uses.

Mr. Williams: Thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Yes, thank you Mr. President. Could you speak to the preservation of existing green space?

Mr. Green: The (inaudible) space we have there right now is called the Bancroft Parkway, okay. Mr. Bancroft donated that land to the City of Wilmington as Delaware's first and only greenway at its time. That land belongs to the City so therefore, would not be affected by this project with the exception of we have to add enhancements with the City's permission to make it even more usable and more community friendly.

President Gregory: Go ahead Mr. Brown.

Mr. D. Brown: Thank you. What is the assessed value of the existing land for the project?

Mr. Green: I'll be honest with you I've been out of the market for a long time. I put my broker's license on ice many, many years ago. I really don't know. I would really just be guessing.

Mr. D. Brown: Do you remember the last number from however many years ago that was?

Mr. Green: I would say land value if I was guessing probably somewhere in the vicinity of about maybe fifteen, eighteen million dollars.

President Gregory: Thank you.

Mr. Green: Thank you Mr. President.

President Gregory: Mark Mr. Prado present please.

Mrs. Seijo: So noted.

\*Note: At this time, Councilman Samuel Prado was marked present.

President Gregory: Mr. Williams.

Upon a motion of Mr. Williams, seconded by Ms. Shabazz, Council returned to Regular Order of Business. Motion prevailed.

### REGULAR ORDER OF BUSINESS

Mr. Williams presented the following committee report:

<u>Housing, Licenses &amp; Inspections Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Samuel Prado		X	
Darius J. Brown			X
Maria D. Cabrera		X	
Nnamdi O. Chukwuocha	X		
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

President and Members of Council of  
The City of Wilmington

December 4, 2013

Ladies and Gentlemen:

We, your Housing, Licenses & Inspection Committee, to who was referred  
**Ordinance No. 13-040** entitled:

AN ORDINANCE TO APPROVE A LARGE-SCALE  
REDEVLEOPMENT PROJECT KNOWN AS  
"THE WILMINGTON FLATS" REDEVELOPMENT

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

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Nnamdi O. Chukwuocha  
/s/Hanifa Shabazz  
/s/Sherry Dorsey Walker  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

President Gregory: There are no findings.

Mrs. Seijo: No findings.

President Gregory: Present your ordinance.

Mr. Williams presented and called for the third and final reading Ordinance No. 13-040 entitled:

AN ORDINANCE TO APPROVE A LARGE-SCALE  
REDEVELOPMENT PROJECT KNOWN AS  
"THE WILMINGTON FLATS" REDEVELOPMENT

Mr. Williams: Mr. President, after the hearing that we just held, I'm in support of this Ordinance. I think that any entity that wishes to invest a hundred million dollars in well over eleven acres of land in our City not only is going to have a financial impact but it's also going to create some synergy in our city. It's going to create affordable housing. It's going to create energy efficient housing, safer housing. Woodlawn has been doing this for 100 years and I think they're doing it right. So, I'm in support of this Ordinance sir.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I too am in support of this Ordinance. I'm really excited about their commitment to hire locally and the fact that they're in conversation with Local 55 is really enthusiastic to me and the fact that Councilwoman Shabazz will be spearheading the initiative with the junior members of Council helping her out, I'm really excited about that.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I too would be supporting this Ordinance tonight. The fact that they will be expanding now to 450 low-subsidized houses especially with the issue that we have here in the City of homelessness to create more housing and also to create a even more congenial neighborhood and of course excited as I am is because their enthusiastic interest and support of valuing the importance of local hiring. This is going to be careers for some individuals to be able to work on this project from start to finish.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, you hear a lot of the positives in their presentation where there was parking, quality housing, jobs but I think they also should

be commended because they were out there meeting with everybody in the community whether it was one person or ten people trying to answer their questions, trying to address issues. I think the job creation one is a perfect example where they have really try to step up and address the issue. So, I think it's a great project and I hope we gets approved this evening. Thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. Based on the testimony that we heard tonight and also the information that has been shared at previous Council meetings and knowing the involvement that they've had in neighborhoods, I will be supporting tonight but it's also because of the promise that they've made to our City. It's a promise they've made for 100 years and that same commitment they're making for hopefully another 100 years through this project over the next ten years and hiring locally. It's something that we all wished I believe, more of our developers would do in our City those that come in to develop. So, I think this is more from the mission of Mr. Bancroft to now t's more than just about a dollar for Woodlawn. It's about really making investments into people and to their families and providing opportunity for respectful honorable living conditions and also for them to have a place that they can call home. So, with that, I'll be supporting it. Thank you.

President Gregory: Thank you. Ms. Cabrera.

Ms. Cabrera: Yes, thank you Mr. President. Now at a time where we see some people walking away from our City and not investment in Wilmington, Woodlawn has a stake in this community. They continue to invest in Wilmington, they're not walking away. I support this because number one: my biggest concern was the workforce development – local jobs – making sure that we hire Wilmingtonians on this project. Too often we see that has not happened with a construction in our City. I have met with the leadership of Woodlawn and they've assured me of this as well as other Council Members. So, I think we're all pretty much on the same track with that. The second point was crime free housing. Their tenants are accountable. They are accountable as landlords. I'm looking to them as an example of things that I would like to see happen in other areas of our City where you have to police your own tenants. It shouldn't be the job of the community or the police or this Council or anybody else to make sure that landlords are responsible for the people that they rent to. So, that to me really stood out. They're responsible, they have a proving track record, so I do plan to support this and I also plan to hold accountable if any of things we've discussed especially with the workforce development don't go through. Thank you.

President Gregory: Clerk will call the roll please.

Upon a motion of Mr. Williams, seconded by Ms. Shabazz, 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, Congo, D. Brown, Shabazz,

Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. #3881.

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

Mr. Williams presented and called for the third and final reading Ordinance No. 13-041 entitled:

AN ORDINANCE TO APPROVE THE REMOVAL AND  
DISPOSITION OF SPRINGER STREET FROM THE  
OFFICIAL CITY MAP

Mr. Williams: Mr. President, after having just pass the prior piece, this is a sister piece to speak to the fact that Springer Street would have to be removed from map in order for this large-scale development project to take place. We've heard from the Planning Council as to what they need to do to make that happen and I'm satisfied they're going to meet all of the requirements.

President Gregory: Clerk will call the roll please.

Upon a motion of Mr. Williams, seconded by Ms. Shabazz, 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Yes, Mr. President. I believe I have two third and final and one first and second.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-038 entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2  
TO THE FISCAL YEAR 2014 OPERATING BUDGET  
(BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1  
TO ORDINANCE NO. 13-013, AS AMENDED), THE

ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

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

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2  
TO THE FISCAL YEAR 2014 OPERATING BUDGET  
(BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1  
TO ORDINANCE NO. 13-013, AS AMENDED), THE  
ORDINANCE ADOPTING THE ANNUAL OPERATING  
BUDGET FOR THE FISCAL YEAR BEGINNING ON  
JULY 1, 2013 AND ENDING ON JUNE 30, 2014

Mr. Freel: I do have a question before I get into the explanation of the Ordinance. The Ordinance that I voted that we voted out of committee on Monday evening, now has a note on it that was not on there on Monday when we voted it out. So, I'm asking you or Mr. Carney, does that change the Substitute Ordinance now?

President Gregory: Can I see the note?

Mr. Freel: It's probably on your...

President Gregory: The answer is yes. It does change it.

Mr. Freel: It's probably on yours too. It's on Page 18.

President Gregory: That same note appeared on the Ordinance that we passed this past summer but it went on there after we passed it and the Mayor signed it at that time. So, what I would do is just hold until we can get clarification on where we're going with this. Mr. Freel. We have time in January to address the matters that are in that Ordinance.

Mr. M. Brown: That's right.

Mr. Freel: Can I hold it at this time or can I accept a friendly amendment deleting that wording from the Ordinance?

President Gregory: You could do that.

Ms. Shabazz: So moved.

Mr. Freel: I'm sorry. I'm on the question to Mr. Carney. Thank you  
though.

Ms. Shabazz: You're welcome.

Mr. Carney: Council Member Freel I was not involved in the writing of that Ordinance. As far as the requirement under the Code and the Charter, it is that the City Solicitor approve as the form. The note seems to indicate that there's certain issues with the substance and it seems to be clarification that the Solicitor was not approving certain substantive issues but was still approving as to form. You can certainly hold the Ordinance. I would also recommend that if you just proceed forward to vote. If you want to revisit in January, I don't see why you couldn't vote.

President Gregory: We could amend it or we can hold it. The agreement that I thought we had coming out of a conference was that we would move forth as we did in the spring/summer, which will then contemplate that that note would be added if they choose to after we passed it. That note was not in the Ordinance this spring/summer when we passed the Ordinance, it came on afterwards when the Mayor vetoed, I mean passed it, he signed it and send it back over. So, that note being on it now, is not a part of the agreement we had in cooperating with the Administration.

Mr. Freel: I guess my other concern is when we met Monday night in Finance Committee, I was very clear about why we were doing a Substitute Ordinance and the City Solicitor was sitting right there and I don't recall him...

President Gregory: No.

Mr. Freel: ...stating that he would have to add this note again.

President Gregory: That's correct. But in the meeting on the 9<sup>th</sup> floor in City Council's Conference Room, there was an agreement I thought that that note could – we would not protest that note being added when the Mayor sign it and send it over as it was this past summer.

Mr. Carney: Councilman. Can I ask, is the substance - - the substance of the amendment before Council tonight is the same the actual Ordinance itself, the changes to the Position Allocation List and so forth?

Mr. Wright: No.

Mr. Carney: That was not changed? There's just a note added under.

President Gregory: It's a very substantive note in doing that.

Mr. Freel: The Ordinance and the Position Allocation List are the ones that we voted out of committee...

Mr. Carney: As a Substitute.

Mr. Freel: ...on Monday as a Substitute but that note on there - - if it had came in like a cover letter or something like that, I guess I would view it differently but the fact that he actually written this on the Ordinance, is my concern.

President Gregory: Just a minute. Mr. Wright.

Mr. Wright: I guess my other question is depending on how we move on this the note can be removed and then be added after we pass it and still be considered a part of the Ordinance?

President Gregory: That was an agreement. I wouldn't consider it a part of the Ordinance. The Ordinance is no (inaudible). So we would move on. That was a compromise. There's a compromise. It's an Administration - - I can't keep you from writing something on the Ordinance. All I want you to sign it. You sign it, you write a note on this, as far as I'm concern the law is without that note. You can interpret as being with the note. That was the agreement so that we could move forward. That was a real good agreement. I thought it was an agreement. When we have an agreement and I'm thinking we're trying to see if someone "yes" you got an agreement, all the body language and all the indications were that we had an agreement. That's what I would say. There was an agreement, move forth without that note and I said to him whatever you put on when the Mayor signs and send it back over to us (inaudible) because as far as I'm concern it's not the law. You can say it is the law. Go ahead.

Mr. Wright: Alright thank you. My last question I guess is for Mr. Carney at this point. So, your advice would be or your suggestion - - I guess you're saying that we can remove it and still move forward although the Solicitor has already made the implication or stated his position? Is that - - are you able to make that call, I guess is my question?

Mr. Carney: I would say that you can hold the Ordinance. You can proceed forward to vote. As far as the removing of it - - an amendment to remove it, since it's not a portion of the Ordinance itself and not a provision, yeah, it's a note that he signed that he made underneath his signature. It's not section 1, 2, 3 or 4 of the Ordinance I wouldn't think you would be able to amend it on the floor.

President Gregory: So, that means we have to hold it.

Mr. Wright: Yeah.

President Gregory: They need to come back based on the agreement with an Ordinance with no note on it but we're passing for it. We're passing for them. What the Mayor does after the fact is on them. That was a very reasonable position and in fact when we got up from the table, I kind of say something "that was easy, see how everybody cooperates" and everybody said "yes". But that note should have come after the fact. Yes?

Mr. Wright: My last question I guess - - my question is for the sponsor then. Are you going to hold it because if you don't hold it then I have more to say?

President Gregory: Can you hold it?

Mr. Freel: Well, I mean I'm going to have to now because I'm just surprised this is on here. I mean I thought everything had been resolved.

President Gregory: He's going to hold it. You have something?

Mr. Wright: Excused me.

Mr. Congo: Not if it's going to be held. I guess my concern was do we need to let the community know what we're talking about but if he's going to hold it, I'm not sure....

President Gregory: We're going to hold it. Okay, thank you. Mr. Freel.

Mr. Freel: Mr. President, I don't if it's the right thing to do or not but I'd like to accept a friendly motion to just remove this language from the Ordinance so that we can get this passed because we did make some commitments financially to address some issues. So, that's what I'd like to.

Ms. Shabazz: Second.

President Gregory: I'm okay with. I can suggest to you though that the commitment we made would not come to fruition until January. So, by not having these resources before the first or second meeting in January, it's not going to in any way whatsoever be disruptive. But we would go back to the agreement that we had and that is that note would not be on there. We're not in any way whatsoever holding up anything with holding this until that note is removed. I just don't want a precedent to be set that we pass ordinances with footnotes on them. That's not the process. It's not the process to put a note on it after we pass it and you sign it and send it back over but we accepted it in a spirit of compromise. We accepted it (inaudible) looks good at compromise (inaudible) and we're willing to do it this time and that was the agreement coming out of the conference. That was the agreement. No one said there wasn't an agreement. No one called and said we change our minds. That was the agreement. So, we either negotiate in good faith or we don't. That was an agreement. That's what I have to keep going back to. So, am I to expect and anticipate this in the future? What do we do? It's just disingenuous in my opinion. Yes Mr. Wright.

Mr. Wright: Mr. President, if we move forward with extracting this with that motion, can we do a voice vote rather than all in favor vote, please?

President Gregory: Well, on a motion we first do a voice vote. If it's not clear as to yea, nay or abstain, then we'll have to go to a roll call. Mr. Wright.

Mr. Wright: Excuse me, individual roll call vote. I would like.

President Gregory: Individual roll call?

Mr. Freel: (inaudible) voice vote.

President Gregory: You only do that if the voice vote is not clear. The Rule says, you only do that if the voice vote is not clear. The Rule say, you go to a roll call vote if the voice vote is not clear as to yea, nay or abstain.

Mr. Wright: But you can make the request to do it that way. Is that not correct?

President Gregory: No, we're not going - - no, no, no.

Mr. Wright: Can we request that? Is that not correct?

Ms. Shabazz: Out of question.

President Gregory: Okay. Is there a motion and second still on the floor?

Ms. Shabazz: Question before.

President Gregory: It's on the question. We're on the question on the motion as this point in time. Ms. Sherry Dorsey Walker.

Mr. Wright: Excused me.

Ms. Dorsey Walker: Mr. President, since it looks like we're going to move forward at what point to Councilman Congo's point do we disclose what is stated here to the public?

Mr. Wright: Yeah.

President Gregory: We will - - we will in just a minute. What is your motion Mr. Freel?

Mr. Wright: Right, thank you.

Mr. Freel: My motion is a simple motion to just to delete the language at the bottom of Page 18 under the signature and title of City Solicitor. That's the motion.

President Gregory: Let me see that.

Mr. M. Brown: Can we get a yea or nay vote on that one?

President Gregory: Do we have a second to that?

Mr. M. Brown: Can we get a yea or nay vote on that one?

Ms. Shabazz/Ms. Dorsey Walker: Second.

President Gregory: And what's being suggested that we delete is this: Mr. Migliore has approve as to form the 12<sup>th</sup> day of December, 2013 City Solicitor Michael P. Migliore. Then he has a handwritten note on the typed Ordinance here is, the above signature does not nor should it be read in any manner to constitute an opinion of the Office of the City Solicitor as to the legality or constitutionality of content of this Ordinance. Further to this point, as to such matters contained in this Ordinance, the Office of the City Solicitor previously issued several legal opinions. Which were not favorable to us. We're on the question.

Mrs. Seijo: There was a motion.

Mr. Congo: Why would he, um....

Mr. Wright: Point of order Mr. President. He just made a new motion, it was seconded, now we're moving to the question?

President Gregory: Yeah, he repeated the first motion.

Mr. Wright: So the first motion was valid?

President Gregory: Yeah. He made a motion. The motion was valid. He made a motion and I'm asking again is it seconded.

Ms. Shabazz: I'm confused.

President Gregory: Just wait a minute. I asked him to repeat his motion, he's repeated it. I'm asking if it's going to be seconded. I'm asking for it to be repeated. If not, we're going to move on. There being no second, we're going to go to the next thing on the - - you're going to vote on it as is?

Mr. Freel: I mean, no. If I can't get a second to delete it, I'll just hold it up.

President Gregory: Thank you. I appreciate that.

Mr. M. Brown: Second, to hold it.

After extensive discussion, Mr. Freel **held** Substitute No. 1 to Ordinance No. 13-038.

President Gregory: Can we go to the next piece of legislation please? The next piece of legislation please.

Mr. Freel: I have another one for third and final please.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-039 entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO  
EXTEND CONTRACT PD05006 – PARKING VIOLATION  
PROCESSING AND COLLECTION SYSTEM WITH XEROX  
STATE AND LOCAL SOLUTIONS, INC.

Mr. Freel: Yes Mr. President. The Administration and the Finance Department has come to us and asked us to just extend this contract for six months. It runs out in December. The reason they want to do that is because they're preparing a new RFP to go back out and solicitor vendors and it's going to be tied in also to some of the SMART meters that we have out there now. So, it does not increase the cost existing, I mean it's the same rates as we're paying now, so there's no increase in the rates and it's just for six months to take us through to the end of the fiscal year June 30, 2014.

President Gregory: Clerk will call the roll please.

Upon a motion of Mr. Freel, seconded by 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, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. #3890.

Mrs. Seijo: One second.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-045 entitled:

A PROJECT ORDINANCE APPROVING AND AUTHORIZING  
THE FINANCING OF A PROJECT FOR THE COMMUNITY  
EDUCATION BUILDING CORP.; MAKING CERTAIN  
FINDINGS WITH RESPECT THERETO; AUTHORIZING THE

ISSUANCE OF CITY OF WILMINGTON REVENUE BONDS  
IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO  
EXCEED \$35,000,000; AND AUTHORIZING OTHER  
NECESSARY ACTION

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

Mr. Freel: That's all, thank you.

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

Mr. M. Brown: Yes Mr. President. I have an Ordinance to present and call for the third and final.

Mr. M. Brown presented and called for the third and final reading Ordinance No. 13-043 entitled:

AN ORDINANCE TO APPROVE AND AUTHORIZE  
THE THIRD PARTY OPERATOR AGREEMENT  
BETWEEN THE CITY OF WILMINGTON AND LEASED  
ACCESS PRESERVATION ASSOCIATION

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

AN ORDINANCE TO APPROVE AND AUTHORIZE  
THE THIRD PARTY OPERATOR AGREEMENT  
BETWEEN THE CITY OF WILMINGTON AND LEASED  
ACCESS PRESERVATION ASSOCIATION

Mr. M. Brown: Yes Mr. President. As this has been long anticipated and waited upon for the TPO, Third Party Operator for Leased Access for Channel 28. This Substitute Ordinance authorizes the City to enter into a public access and lease access management agreement with LAPA, which provides LAPA with a three-year contract to construct, maintain, produce and operate the studio and access channel made available by Comcast and New Castle County.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. First of all, I just wanted to say thank you to the Committee that sat there and listened to the proposals and gave a great deal of weight to each of the proposals to come up with LAPA as the Ordinance calls for. They've been passed proving and reliable. They're from Wilmington; they're involved in Wilmington situations; they're part of our community. So, who better to represent our

community and put forth the information to our community than our actual community members? So, I thank the Committee for their diligence.

President Gregory: Mr. Congo.

Mr. Congo: Thank you Mr. President. Just in disclosure, it has been suggested that I don't - - well, that I vote present because of my relationship with my mom who is on the Board. So, I'm going to vote present.

President Gregory: I'm going to do one further, it's not been suggested that you not vote. It's been advised that you not vote.

Mr. Congo: Advised.

President Gregory: That's a little stronger.

Mr. Congo: Alright. Sorry mom.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, I'm support this Ordinance this evening. I do want to again just reiterate as I did in the contract hearing with the Commission that we look at the process procedures for the public access piece of this. As there are many people that feel that the public access should have never been part of the leased and live access which means that the public feels that they may be short changed in the process. So, I am looking to the leadership and the management of LAPA to make sure that there's time accessible to the community. Not at three o'clock in the morning, hours that people would actual view the TV and that there's a process of fairness to make sure that everybody has an opportunity to get on and to share their message. I congratulate them and we'll move forward to working together.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President. I just want to thank the members of this Council that served on this Committee for the vetting during this process and bringing this forward tonight and based upon the recommendation of the Committee members, I will supporting this tonight.

President Gregory: Thank you. Clerk will call the....oh, Mr. Wright.

Mr. Wright: Thank you Mr. President. It was advised that...

President Gregory: Suggested.

Mr. Wright: ...oh, suggested, okay, that I don't have substantial interest in this and that I could vote but I feel as though I do and I am, I think it's called a Producer under LAPA...

President Gregory: You're a sub-producer.

Mr. Wright: ...sub-producer under LAPA.

President Gregory: You're like one, two, three (inaudible)...

Mr. Wright: ...right, but at the same time, I financially give to that. So, I'm personally going to be voting present, just because of that.

President Gregory: I appreciate that.

Mr. Wright: My personal thing.

President Gregory: I appreciate that. Ok, Clerk will call the roll please.

Upon a motion of Mr. M. Brown, seconded by Mr. Williams, the aforementioned Substitute 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, M. Brown, Cabrera, and Council President Gregory. Total, nine. Nays, Council Member Freel. Total, one. Present, Council Members Congo and Wright. Total, two. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President.

President Gregory: Yes.

Mr. M. Brown: Mr. President, I have an Ordinance to present and call for the first and second on the reading.

Mr. M. Brown presented and called for the first and second reading Ordinance No. 13-046 entitled:

AN ORDINANCE TO AUTHORIZE A SERVICE AGREEMENT WITH NIXLE, LLC, FOR AN INTERNET-BASED PUBLIC EMERGENCY COMMUNICATIONS SYSTEM

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Mr. M. Brown, seconded by Mr. Williams, was received, recorded, and referred to the Public Safety Committee. Motion prevailed.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening, thank you sir.

President Gregory: Mr. Wright.

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

### PETITIONS AND COMMUNICATIONS

Council Members announced committee and civic meetings, community events and community projects in their districts as well as expressed sympathies. Council Members expressed their thanks to various city departments and individuals as well as thanked Council staff. Council Members spoke on the following matters: unemployment rate being very high in the City of Wilmington and the need to provide a solution; ongoing crime in the City and the need to work together with the Wilmington Police Department as well as the need for residents to get involved; News Journal article; Affordable Care Act extension; the need for the Centers for Disease Control and Prevention to study addiction as it relates to crime; and including but not limited a request to have Downtown Visions to provide service to the Westside business area as it currently does for the downtown business area. Council Members expressed holiday greetings to everyone and President Gregory recognized Police Chief Dunning who was sitting in the audience.

### ADJOURNMENT

Upon a motion of Mr. Williams/Mr. M. Brown, seconded by Ms. Cabrera, Council adjourned at 8:06 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk