

*Wilmington, Delaware
Louis L. Redding
City/County Building
July 9, 2015*

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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, eleven. Absent, Council Member Cabrera and Council President Gregory. Total, two.

MINUTES

After reading a portion of the minutes of July 2, 2015, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

July 1, 2015

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Substitute No. 1 to Ordinance No. 15-023 entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/PARKING REGULATIONS

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/Samuel Prado
/s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Committee Member</u>	<u>Finance</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: 7/6/15

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-024** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT14068HRPS, PROPERTY AND CASUALTY INSURANCE BROKERAGE SERVICES, AS AMENDED, WITH USI INSURANCE SERVICES LLC, SUCCESSOR IN INTEREST TO WILLIS OF DELAWARE, 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/Hanifa Shabazz

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

The City Clerk read the following committee report:

<u>Committee Member</u>	<u>Finance</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: 7/6/15

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-025** entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 15016HRPS, LIFE AND HEALTH INSURANCE BROKERAGE SERVICES, AS AMENDED, WITH USI INSURANCE SERVICES LLC, SUCCESSOR IN INTEREST TO WILLIS OF DELAWARE, 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/Hanifa Shabazz

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

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

July 1, 2015

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Sub. #1 to Ordinance No. 15-027 entitled:

AN ORDINANCE TO AMEND CHAPTER 3 OF THE WILMINGTON CITY CODE RELATING TO THE TREATMENT, CARE, CONTROL AND LICENSING OF ANIMALS

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/Samuel Prado
/s/Robert A. Williams

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

The City Clerk read the following committee report:

<u>Education, Youth & 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		

President and Members of Council of
The City of Wilmington

July 8, 2015

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 5:00 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following item was discussed:

- A presentation on the Delaware Coalition Historically Black Colleges and Universities (HBCU) community based initiatives by Steve Washington

Respectfully submitted, Members of
Education, Youth & Families Committee
/s/Nnamdi O. Chukwuocha, Chair
/s/Hanifa Shabazz
/s/Sherry Dorsey Walker
/s/Theopalis K. Gregory, Sr., Ex Officio

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

TREASURER'S REPORT

The following Treasurer's Report dated July 9, 2015 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.

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TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON JULY 9, 2015

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 15,396.81
105	Police Pension Account	M & T Bank	\$ 535,577.71
106	Fire Pension Account	M & T Bank	\$ 358,774.86
107	Evidence/Found Currency Account	M & T Bank	\$ 534,239.58
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.00
113	Non-Uniform Pension	M & T Bank	\$ 1,431.94
114	Central Deposit	M & T Bank	\$ 19,503.69
117	Cement Workers	Wilmington Savings Fund	\$ 33,443.64
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 8,052.10
130	Payroll	M & T Bank	\$ 255,554.90
131	Pension Payroll Account	M & T Bank	\$ 28,620.05
139	Pension Healthcare Account	M & T Bank	\$ <u>943.29</u>
	Total Cash on Hand		\$ 1,808,681.77

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	07/09/15	0.01%	\$ 1.75	\$ 6,372,541.00
116	General	WSFS	CD	07/10/15	0.30%	\$ 1,518.90	\$ 2,200,000.00
514	Risk Management	WSFS	CD	07/10/15	0.35%	\$ 14,938.32	\$ 4,279,819.74
515	Worker's Comp.	WSFS	CD	07/10/15	0.35%	\$ 14,938.32	\$ 4,279,819.74
514	Risk Management	WSFS	CD	07/10/15	0.30%	\$ 339.04	\$ 1,375,000.00
515	Worker's Comp.	WSFS	CD	07/10/15	0.30%	\$ 339.04	\$ 1,375,000.00
116	General ¹	TD	CD	07/10/15	0.25%	\$ 136.99	\$ 2,000,000.00
116	General	TD	CD	07/23/15	0.25%	\$ 934.94	\$ 1,500,000.00
116	General	WSFS	CD	07/24/15	0.30%	\$ 1,854.25	\$ 2,400,000.00
124	Non-Uniform 1990	WSFS	CD	07/29/15	0.30%	\$ 271.85	\$ 945,000.00
106	Fire Pension	WSFS	CD	07/29/15	0.30%	\$ 454.52	\$ 1,580,000.00
105	Police Pension	WSFS	CD	07/29/15	0.30%	\$ 146.71	\$ 510,000.00
116	General	TD	CD	08/07/15	0.25%	\$ 575.35	\$ 1,000,000.00
116	General	TD	CD	08/07/15	0.25%	\$ 657.54	\$ 1,200,000.00
110	Capital ²	TD	CD	08/21/15	0.25%	\$ 1,192.07	\$ 1,540,195.00
116	General	TD	CD	08/21/15	0.25%	\$ 390.41	\$ 1,000,000.00
116	General	TD	CD	08/21/15	0.25%	\$ 383.57	\$ 1,000,000.00
116	General ¹	TD	CD	08/24/15	0.25%	\$ 4,631.55	\$ 13,003,965.00
110	Capital	WSFS	CD	09/22/15	0.30%	\$ 13,606.52	\$ 19,476,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,465,707.00
104	Escrow Pension	Vanguard					\$ 42,080,960.00
104	Escrow Pension	Black Rock					\$ 24,354,047.00
104	Escrow Pension	Edgar Lomax					\$ 22,002,188.00
104	Escrow Pension	Wilmington Trust					\$ 44,054,549.00
104	Escrow Pension	Manning & Napier					\$ 10,895,111.00
104	Escrow Pension	Earnest Partners					\$ 18,435,085.00
104	Escrow Pension	GMO					\$ 11,920,886.00
104	Escrow Pension	MFS Management					\$ 21,748,273.00
104	Escrow Pension	American Funds					\$ 11,218,918.00
139	Medical Escrow	Black Rock-OPEB					\$ 13,949,212.00
116	Deferred Comp.	MassMutual					\$ 40,024,421.00
	Total Investments						\$ 329,186,697.48
	Total Cash on Hand						\$ <u>1,808,681.77</u>
	Grand Total						\$ 330,995,379.25

¹ Budget Reserve

² SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

Gregory	Sympathy Quiaire Nesmith
Gregory	Sympathy Eugene C. Maloney
Walsh	Sympathy Bernadette Butler

LEGISLATIVE BUSINESS

Madame President Walsh: Mr. Chukwuocha.

Mr. Chukwuocha: Yes Madame, I have a Resolution to present.

On behalf of President Gregory, Mr. Chukwuocha presented Resolution No. 15-040 (Agenda #4081) as follows:

WHEREAS, the education of children is one of the most important functions of government; and

WHEREAS, over time, the State of Delaware has invested in the expansion of educational opportunities for students throughout the State, despite the fact that the education funding system was developed more than 75 years ago and has since become insufficient in meeting the needs of today’s teachers and students; and

WHEREAS, recognizing this, the Delaware General Assembly has passed Senate Joint Resolution No. 4, which creates the Education Funding Improvement Commission to conduct a comprehensive review of the State’s public education funding system and to make recommendations for its improvement; and

WHEREAS, the Commission is charged with making recommendations related to a student-focused funding system which could provide more flexibility for districts and schools; and

WHEREAS, the Commission is also empowered to investigate groups of students that could benefit from additional funding – including low-income students; and

WHEREAS, the City Council applauds this effort and wishes to express its support of the General Assembly’s plans to further study education funding.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports the creation of the Education Funding Improvement Commission, and respectfully encourages members of the Commission to take into consideration the needs of the students in the City of Wilmington when studying funding structures and making recommendations.

On the question:

Mr. Chukwuocha: Yes Madame Chair and this is being presented on behalf of President Gregory and members of our Wilmington THINK TANK and is supporting the joint General Assembly Joint Resolution No. 4 which is creating an Education Improvement Commission regarding funding. As we all know here within our state we're one of only four states who still use this antiquated model of a unit count system. It's been very flawed for decades. There have been reports coming through our city; in fact this Council produced one calling for changes. We've also sent plenty of Resolutions asking for changes to the unit count system. And, the work of our Wilmington Think Tank here in Wilmington along with the Wilmington Education Advisory Committee has forwarded "Advanced at Work" and the General Assembly created this task force to look at the funding for our schools and how we meet the needs of our individual students as well as the schools themselves and how they interact with the community. It's really not just about – many think it's just about low-income students and our needs of our students here in Wilmington – we have seven – over seventy percent of our students are considered low-income but statewide that number in public and charter schools is over fifty percent. So, this is truly a statewide issue and truly meeting the needs of our students and providing them with the resources that are needed. And, for us as a student – as a nation to begin to move forward to address these needs even with our – here in Wilmington the needs of our current district model how they have equalization funding to try to bridge that gap. It hasn't been enough to truly meet the needs of our individual students' needs, the schools or the districts. So, this is a way in which our state would begin to hopefully address this need as it's noted. It's a very old system and it's truly not meeting the needs so this Resolution would be encouraging our General Assembly to address this and not only take into consideration the needs of our low-income students but also the English language learners and students with severe disabilities. So, I'm encouraging my colleagues to support this Resolution.

Madame President Walsh: Mr. Michael Brown.

Mr. Michael Brown: Thank you Madame President; I'd like to be added if I could as a co-sponsor.

Madame President Walsh: So noted. Council Member Shabazz.

Ms. Shabazz: Thank you Madame, Madame Chair President. I too would like to be added on as a co-sponsor and this is something that is very badly needed in the City of Wilmington and it's been advocated for quite a time. I'm glad to see that effort and so we moving forward should get it addressed and the General Assembly has taken on something that they're considering.

Madame President Walsh: Anyone else?

Ms. Dorsey Walker: Madame Chair.

Madame President Walsh: Yes, Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you Madame President. I'd like to also be added as a co-sponsor.

Mrs. Seijo (City Clerk): So noted.

Madame President Walsh: As would I please.

Mrs. Seijo (City Clerk): So noted.

Madame President Walsh: All right, seeing no one else, the Clerk will call the roll.

Upon a motion of Mr. Chukwuocha, 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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, eleven. Nays, none. Absent, Council Member Cabrera and Council President Gregory. Total, two.

Madame President Walsh: Declare it adopted. Mr. Congo.

Mr. Congo: Nothing tonight Madame President; thank you.

Madame President Walsh: Mr. Darius Brown.

Mr. Darius Brown: Nothing tonight.

Madame President Walsh: Ms. Shabazz.

Ms. Shabazz: Yes Madame 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 time Ordinance No. 15-027 (Agenda #4070) entitled:

AN ORDINANCE TO AMEND CHAPTER 3 OF THE
WILMINGTON CITY CODE RELATING TO THE
TREATMENT, CARE, CONTROL AND LICENSING
OF ANIMALS

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

AN ORDINANCE TO AMEND CHAPTER 3 OF THE
WILMINGTON CITY CODE RELATING TO THE
TREATMENT, CARE, CONTROL AND LICENSING
OF ANIMALS

On the question:

Ms. Shabazz: Yes Madame President, the Ordinance updates and reorganizes the City's animal law and aligns City law with the State law regarding the care and control of animals. This alignment of city and state statute is necessary as the city and state began to coordinate efforts on a state authority that would oversee animal enforcement and in Wilmington and throughout the Delaware area in the future. Breed specific animal control laws would not be enforced under this state enforcement system. In addition to receive high quality animal care control through the new state enforcement system, Wilmington would be in-line to save thousands dollars in annual animal control costs. The alignment of the city and state statute is also very important to support the work of dog control panels which are established in each county of Delaware to review the actions of owners and animal in cases involving attacks on human or other animals. These panels consisting of veterinarians, dog behavior specialist, animal shelter experts and Kennel Club officials can make decisions about whether an animal is dangerous, potentially dangerous and whether an animal should be euthanized. The Ordinance also reinforces a very strict set of legal requirements for dog owners for the care and control of their animals and sets forth hefty fines for violators. But most importantly Madame President, all dogs and all dog owners would be treated equally under the law.

The Ordinance would remove breed specific language in which that it currently affects only one breed of animals. As was stated before of the cases that are noted here in Wilmington, a hundred and twenty-eight (128) of those dogs' bites documented, there were nineteen (19) different breeds of dogs associated with them. This Madame President, this Ordinance 15-027, we feel is a better approach which would mandate all animals and all animal owners to equally be accountable for their actions. The Ordinance also requires the dog owners to be responsible for the control and actions of their dogs regardless of whether the owner has the dog or another individual is walking or caring for the dog. It also allows that no dog would be allowed to run at large or engage in behaviors that would be declared a dangerous dog. And, if so, animal would be seized, impounded and possibly euthanized. As well as other things this law outlines, a person would not be allowed to own or harbor animals for the purpose of dog fighting or to cause it or encourage an animal to attack a person or another animal.

Madame President Walsh: Council Member Darius Brown.

Mr. Darius Brown: Thank you Madame President. I want to – I would like to be added as co-sponsor. I think that this legislation can kind of rectifies some classifications that we have in the City amongst dogs and, also promotes responsible dog owners no matter what type of dog the individuals owns and we have many responsible dog owners in the City of Wilmington. So, I would like also publicly just say that this is a good representation of what happens when you have strong advocacy on behalf of an issue and, I think that this type of advocacy should also be duplicated around many other issues in the City.

Madame President Walsh: Thank you; Council Member Chukwuocha.

Mr. Chukwuocha: Thank you Madame Chair. I also would like to be added as co-sponsor and I would just like to add I think it's also a great way for our state to assist cities such as Wilmington that had been struggling to deal with the pet control issue and I think for them to truly recognize that need and need for the state to be involved. So, I think this really is a great way to assist cities who are struggling with this issue. Thank you.

Madame President Walsh: Council Member Prado.

Mr. Prado: Yeah co-sponsor also please.

Madame President Walsh: Council Member Williams.

Mr. Williams: Thank you Madame President. Specifically with this law would assist at doing is transcended on the breeds. There won't be any second guessing whether is that a pit bull or bull terrier or is that staffer shire terrier. It's going to say all dogs. All dogs unilaterally – the law would fit every category provided it's a dog. There are some provisions for other animals. The only thing that I look at that maybe we can reconsider this evening is Section 3-16 where it talks about impoundment of dangerous or potentially dangerous dogs. It list that if it inflicts physical injury or serious physical injury to a human; however, it must be to the level of serious physical injury to another animal. And, within the Code it says, serious physical injury means, creates substantial risk of death or cause a serious or prolong disfigurement, prolong impairment of health or impairment of function of any bodily organ. I would seek to ask the primary sponsor if we can lower that standard to physical injury. That if an animal suffers physical injury that's going to require the care of a Vet; that it also would preclude that dog to be considered potentially dangerous. So, in the form of a friendly motion I would ask that be changed from "serious physical injury" to "*physical injury*".

Ms. Shabazz: Could you repeat where the...

Mr. Williams: Section 3-16(a)(2)...right from "serious" to just "physical".

Ms. Shabazz: Madame; are you saying that particular dog or the species of the dog?

Mr. Williams: Well, it would be that criterion for that dog to be considered potentially dangerous. If they inflict physical injury to another domestic animal that was on somebody's property or under the immediate control of an individual. It would lower the standards...

Ms. Shabazz: I know but I'm trying to see if you're speaking regarding that particular dog that inflicted or the breed or category of the dog would be classified because of the action of that one particular dog. Is that what you're asking?

Mr. Williams: It would be any...

Madame President Walsh: Yes; that particular dog you're saying.

Ms. Shabazz: It's just that one particular dog or...

Madame President Walsh: Just the dog. Not a breed, correct?

Mr. Williams: Right; correct. This is any animal that attacks another animal and causes physical injury that's going to require medical expenses for the owner to have the dog exam, etcetera. If we wait for it to be serious physical injury the dog has to lose a limb; has to be at risk of death; has to have organ impairment. I think that's a little exaggerated to make that.

Ms. Shabazz: I understand that this language mimics the State law.

Mr. Williams: Okay.

Ms. Shabazz: So, it would take us out of the same line of the State law.

Mr. Williams: All right; it's something to consider down the road. I'll withdraw my proposal for now. And then, continuing with this – it's something that we could also – as the Councilperson from Newark had said, something that we could think about down the road if this should pass this evening is that looking at somebody who has a dog that's considered dangerous that they have to get this liability insurance. It's something that this Council seriously needs to consider. I think that this unilaterally meets all breeds. It also in some cases gives us more leverage than the prior ordinance that was passed and it treats all dogs equally.

Madame President Walsh: Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you Madame Chair. I'm sorry; Madame President. Madame President, hearing from so many constituents around this issue and kind of mimicking what Councilman Darius Brown stated, it is imperative that

constituents come together around an issue and it was really nice to see constituents come together holistically at the Public Works meeting and I asked at that point to be added as co-sponsor mainly because it takes out the breed specifics legislation and it makes it very, very clear that it's all dogs; not just one specific dog as we heard from Ms. Von Drew on this evening and Ms. Reynolds and Ms. Rivera. I too am in support of this Ordinance and I would like to be added as a co-sponsor Madame President.

Mrs. Seijo: So noted.

Madame President Walsh: Council Member Congo.

Mr. Congo: Yes, thank you; just to the sponsor, you had mentioned something around dogs being able – not being able to run freely; would that exclude already recognized dog parks, right?

Ms. Shabazz: Except in dog parks; right.

Mr. Congo: All right; thank you.

Madame President Walsh: Council Member Michael Brown.

Mr. Michael Brown: Thank you Madame President; Council Member Congo answered or asked one of my questions but I just want to – I want to say that I'm a dog owner first of all; I have one – it's not a pit bull but it's a dog and he's smarter than the average – some folks as the old commercial say, the average bear. I have a Yorkie and I can't – when I walk my Yorkie through Canby Park a lot of the constituents came up and they talked and I heard them say some irresponsible dog owners and I have to grab my dog sometimes – I already have her on a leash and I have to put her in my arms because folks walking through the park with dogs off leash and I often wonder, where are we with this and I know that the City pays for animal control. I know that; and so, I was sitting here and I was contemplating about really preaching about this. You know, I could go in my little preaching spill. But I won't; I'm going to support it tonight. I'm going to support it because it's needed. We will get – we are following the guidelines of the State and I just hope that those other dog owners who are not responsible as those who – some of those who have come before us tonight, would get on board because if not, we're going to be back here threading through some other laws. And, I'm just one of these folks just like you Madame President that don't just like laws to be on the books just because we have them on the book. But I'm going to support it tonight and I would like to ask my dear friend to allow me to be a co-sponsor. Do I get a yay for the co-sponsor?

Ms. Shabazz: Yes.

Mr. Michael Brown: Oh, okay; thank you very much.

Madame President Walsh: Council Member Shabazz.

Ms. Shabazz: Thank you Madame President. I want to thank my colleagues that have asked to be added as a co-sponsor and supporting this. And, I like everyone to understand that we did not take this legislation lightly. It's been over – we brought up before – it's been almost two – a year, maybe a year and a half that we've taken to review everyone's points and concerns, the issues, we did the research of the data, and it took us a while for this legislation that we feel is just for all animals to remove any type of discrimination against a specific breed; to make sure that there were laws – enforcements to those irresponsible owners; that the fines were substantial to ensure and force them to be responsible owners and to come up with this piece of legislation today – the numerous emails and comments that we've got from individuals and some yes were from outside the City but a very, very large portion of them were from inside the City. So, again, I want to thank my colleagues for signing on and hope that all others would support this so that we can put this in place and make sure that the City of Wilmington is safe and that animal owners can feel comfortable coming into the City with their dogs and we becoming responsible dog owners. Thank you.

Madame President Walsh: On a personal note a whole lot of emails came not just from outside of the City but from outside of the State, which as soon as they appear in my stream they get erased because I'm not a State office; I'm not a County office; I'm a City office. So I really – unless you own a business here or you pay wage taxes, I really don't care what your opinion is if you do not live, work or own a business in the City of Wilmington. I've been very drawn over this legislation and I am supporting it tonight because I do realize the financial implications that is not only happening now but in the future to our City and whether or not the State would take over this service. Do you want to still have another word since you'll have the last word; you're the sponsor? Or you could just say roll call.

Ms. Shabazz: Roll call.

Madame President Walsh: Okay; roll call.

Upon a motion of Ms. Shabazz, 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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, eleven. Nays, none. Absent, Council Member Cabrera and Council President Gregory. Total, two.

Ms. Shabazz: Thank you.

Madame President Walsh: Thanks Ms. Shabazz. Mr. Prado. Oh, declare it adopted; sorry.

Mr. Prado: Nothing tonight Madame President.

Madame President Walsh: Ms. Dorsey Walker.

Ms. Dorsey Walker: Madame President I have an Ordinance to present and call for the third and final reading.

Ms. Dorsey Walker presented and called for the third and final reading Ordinance No. 15-023 (Agenda #4062) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS

Ms. Dorsey Walker: Madame President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS

On the question:

Ms. Dorsey Walker: Madame President, I'd like to point that Section 9 actually covers Councilman Darius Brown's district and I would like to add him as a co-sponsor if at all possible.

Mrs. Seijo: So noted.

Madame President Walsh: Done.

Ms. Dorsey Walker: And as well, I wanted to point out that the people from Bayard Square have been asking for a "STOP" sign on Oak Street and South DuPont Street for quite some time. So, now they will finally get their "STOP" sign as well as many other constituents throughout the City.

Madame President Walsh: Anyone else? The Clerk will call the roll.

Upon a motion of Ms. Dorsey Walker, 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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, eleven. Nays, none. Absent, Council Member Cabrera and Council President Gregory. Total, two.

Madame President Walsh: Declare it adopted. Mr. Williams.

Mr. Williams: No legislation this evening Madame President.

Madame President Walsh: Mr. Freel.

Mr. Freel: Madame President, I have two Ordinances for third and final and one Resolution and then one Ordinance for first and second.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-024 (Agenda #4063) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT14068HRPS, PROPERTY AND CASUALTY INSURANCE BROKERAGE SERVICES, AS AMENDED, WITH USI INSURANCE SERVICES LLC, SUCCESSOR IN INTEREST TO WILLIS OF DELAWARE, INC.

On the question:

Mr. Freel: Yes, after going through an RFP process the Human Resources Department would like to enter into an agreement with USI. They would assist us in soliciting proposals for insurance dealing with property, crime, general liability, automobile, etc. They are three one-year extensions on this. The cost of this contract is \$60,000 compare to what we were paying before under a different party of probably - an excess of \$100,000. So, hopefully this is going to save us some dollars.

Madame President Walsh: Anyone? The Clerk will call the roll.

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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, ten. Nays, none. Absent, Council Members Congo and Cabrera and Council President Gregory. Total, three.

Madame President Walsh: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-025 (Agenda #4064) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 15016HRPS, LIFE AND HEALTH INSURANCE BROKERAGE SERVICES, AS AMENDED, WITH USI INSURANCE SERVICES LLC, SUCCESSOR IN INTEREST TO WILLIS OF DELAWARE, INC.

On the question:

Mr. Freel: Similar to the last Ordinance, once again, this is also a USI contract with three one-year extensions. In this case, they would be helping us pick out insurance for employee life, long term and disability, medical (inaudible) dental, etc. The other important service that they would be providing us with this one is trying to keep us in line with all the changes with the Federal law with the Affordable Care Act and other regulations. This contract is \$135,000 a year and once again just to give you a comparison, the contract we had before because of a rate plus percentages was probably an excess of \$300,000 a year.

Madame President Walsh: Thank you; Council Member Shabazz.

Ms. Shabazz: Yes Madame President. I just wanted to say that I was in the Finance Committee meeting when these contracts were presented to us and I just wanted to acknowledge the great work of the HR Department for being able to bring these new contracts to us. The savings that we're making on these two contracts is amazing that we were paying that much money for this service and we're getting the same service plus even more amenities at such a much – a reasonable price. I just wanted to acknowledge the great work of the HR Department for finding this and coming up with the RFP and also congratulating the company that it was awarded to and we look forward to the savings that these contracts bring.

Madame President Walsh: Well, let's wait until their first year is over too.

Ms. Shabazz: Ok.

Madame President Walsh: You know, you've seen a lot of these contracts. So have I; Council Member Darius Brown.

Mr. Darius Brown: Thank you Madame President. I'd like to be added as a co-sponsor and also as many of our Council Members remember a part of the conversation we had with HR was around our insurance and health coverage increases that we anticipate through Obama Care or the Affordable Care Act and especially considering last week's Supreme Court upholding Obama Care as our national health coverage. So, I'm asking to be added as a co-sponsor.

Mrs. Seijo: So noted.

Ms. Shabazz: Madame President, if I may also be added.

Madame President Walsh: Sure.

Mrs. Seijo: So noted.

Madame President Walsh: The Clerk will call the roll.

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

Madame President Walsh: Declare it adopted.

Mr. Freel presented Resolution No. 15-041 (Agenda #4082) 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 Planning, has sought to obtain grant funding from the Delaware Division of Historical and Cultural Affairs in the amount of \$17,848.00 of funding to continue the City's Historic Preservation Planning Program for the Federal Fiscal Year 2015; 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 thirty years; and

WHEREAS, the said grant requires matching funds totaling at least \$11,899.00 and matching funds are included in the General Fund budget in the amount of \$50,091.00; 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 Department of Planning to accept the aforesaid grant funding from the Delaware Division of Historical and Cultural Affairs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Planning is hereby authorized to accept grant funds from the Delaware Division of Historical and Cultural Affairs in the amount of \$17,848.00 to fund the City's Historical Preservation Planning Program for the Federal Fiscal Year 2015.

On the question:

Mr. Freel: Yes, this is a Resolution that we do on an annual basis requesting a grant from the State of Delaware Division of Historical and Cultural Affairs.

This helps us fund the Preservation Planner position. This position – some of its duties is performing Federal reviews required by HUD or CDBG; providing Section 106 technical assistance to other departments and it also helps out with the Design Review and Preservation Commission.

Madame President Walsh: Council Member Brown.

Mr. Michael Brown: Madame President, I'd like to be a sponsor to this if I may because I've worked – they've worked – did some work for me in Planning in this area on a couple occasions and they didn't stop until they got the work done and I'm very pleased about that position up in Planning. So, I really would like to support this by being part of the – being a co-sponsor if Mr. Freel would allow it.

Mr. Freel: And if I won't allow it?

Mr. Michael Brown: If you won't allow it? (laughter)...

Mr. Freel: That's fine; thank you.

Mrs. Seijo: So noted.

Madame President Walsh: Anyone else? The Clerk will call the roll.

Upon a motion of Mr. Freel, 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 Chukwuocha, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown and Wright, and President Pro Tempore Walsh. Total, ten. Nays, none. Absent, Council Members Congo and Cabrera and Council President Gregory. Total, three.

Madame President Walsh: Declare it adopted. Mr. Wright.

Mr. Freel: I have one more for first and second.

Madame President Walsh: Oh, sorry.

Mr. Freel: That's ok.

Mrs. Seijo: One moment please.

Madame President Walsh: Oh you do; you have an intro.

Mr. Freel presented and called for the first and second reading Ordinance No. 15-031 (Agenda #4083) as follows:

AN ORDINANCE TO AMEND CHAPTER 13 OF THE CITY
CODE AND REPEAL AND REPLACE CHAPTER 45,
ARTICLE IV TO MODERNIZE SOLID WASTE DISPOSAL
SERVICES

The above referenced Ordinance was given two separate readings by title only and upon a motion of Mr. Freel, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Mr. Freel: That's all I have. Thank you.

Madame President Walsh: Mr. Michael Brown.

Mr. Michael Brown: Yes Madame President, nothing tonight. Thank you for asking me though.

Madame President Walsh: You're welcome. Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

Madame President Walsh: Before we have a motion, just two things for the public to know, number one, Council President Gregory obviously had another event that he had to attend this evening, which is why I'm sitting here and also this is the last Council meeting we will have for a month. We will be meeting the last two weeks in August for the general public who may tune in two weeks from now and not finding us on Channel 22. Mr. Brown, I think you had a motion.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications presented this evening.

ADJOURNMENT

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, Council adjourned at 7:14 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk