

*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:

<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		

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 & 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 rd 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	\$ 42,451.41
	Total Cash on Hand		\$ 655,343.47

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 ¹	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 ²	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 ³	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

¹ Budget Reserve

² Lincoln Towers BAN

³ 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 th 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. 7th 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