

*Wilmington, Delaware
Louis L. Redding
City/County Building
November 19, 2015*

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, Darius Brown, Shabazz, Prado*, Dorsey Walker*, Williams, Freel, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, twelve. Absent, Council Member Walsh. Total, one.

MINUTES

Mr. Freel: Mr. President, I move the minutes be accepted with the following correction. The Treasurer's Report from the last meeting should reflect the date of November 5, 2015 and not October 15, 2015.

Mr. Williams: Second.

After reading a portion of the minutes of November 5, 2015 as corrected, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as corrected and 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		

October 21, 2015

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. 15-038 entitled:

AN ORDINANCE TO AMEND CHAPTER 5 AND CHAPTER 42 OF
THE CITY CODE REGARDING THE CREATION OF A PILOT
PROGRAM OF REGULATIONS SURROUNDING MOBILE FOOD
VENDING UNITS

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

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

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

*Note: During this time, Council Members Dorsey Walker and Prado were marked
present and noted in the minutes herein (Roll Call).

The City Clerk read 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	

President and Members of Council of
The City of Wilmington

Date: 10/19/15

Ladies and Gentlemen:

We, your **JOINT** Committee of the Whole and Finance Committees, met on the above referenced date, Council President Theopalis K. Gregory, Sr. presiding and to who was referred **Ordinance No. 15-040** entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT OF THE
WILMINGTON NEIGHBORHOOD CONSERVANCY LAND BANK

/s/Charles M. Freel
/s/Robert A. Williams

Respectfully submitted, Members of
Committee of the Whole
/s/Hanifa Shabazz
/s/Maria D. Cabrera
/s/Nnamdi O. Chukwuocha

/s/Theopalis K. Gregory, Sr., President

<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	

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/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.

Note: Although Council Members Prado and Dorsey Walker was marked present in the
aforementioned Report, their signatures were inadvertently missed.

The City Clerk read 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		

President and Members of Council of
The City of Wilmington

November 11, 2015

Ladies and Gentlemen:

We, your **JOINT** Education, Youth & Families Committee and Committee of the Whole Committees, met on the above date, Council President Theopalis K. Gregory, Sr. presiding. The following items were discussed:

- Discuss Safe Haven Grant Resolution
- Presentation by the Wilmington Education Improvement Commission (WEIC)
- Presentation by the Wilmington Education Strategy Think Tank (WESTT)

/s/Robert A. Williams
/s/Charles M. Freel
/s/Ernest "Trippi" Congo, II
/s/Justen A. Wright
/s/Sherry Dorsey Walker

Respectfully submitted, Members of
Committee of the Whole

/s/Maria D. Cabrera
/s/Hanifa Shabazz
/s/Nnamdi O. Chukwuocha
/s/Darius J. Brown

/s/Theopalis K. Gregory, Sr., President

<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		

Respectfully submitted, Members of
Education, Youth & Families Committee
/s/Nnamdi O. Chukwuocha
/s/Maria D. Cabrera
/s/Ernest "Trippi" Congo, II
/s/Hanifa Shabazz
/s/Sherry Dorsey Walker
/s/Theopalis K. Gregory, Sr., Ex Officio

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

The City Clerk 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" Free	X		
Michael A. Brown Sr.	X		
Samuel Prado		X	
Hanifa G.N. Shabazz	X		
Loretta Walsh		X	

DATE: 11/12/15

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-047**
entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
WILMINGTON CITY CODE TO PROVIDE FOR THE
ISSUANCE OF A PROVISIONAL BUSINESS LICENSE

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 Mr. Williams, the
aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk 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	

November 12, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred entitled:

- A Resolution authorizing Collective Bargaining Agreement for the American Federation of State, County and Municipal Employees, A.F.L. – C.I.O. Local 320 Union contract
- A Resolution authorizing Collective Bargaining Agreement for the American Federation of State, County and Municipal Employees, A.F.L. – C.I.O. Local 1102 Union contract

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.

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

The City Clerk 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: 11/12/15

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-051**
entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3 TO
THE FISCAL YEAR 2016 OPERATING BUDGET, BEING AN
ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE
NO. 15-013, THE ORDINANCE ADOPTING THE ANNUAL
OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING
ON JULY 1, 2015 AND ENDING ON JUNE 30, 2016 (COLA &
ONE-TIME PAYMENT(S) FOR NON-UNION EMPLOYEES AND
MEMBERS OF AFSCME LOCALS 320 AND 1102)

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.

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

The City Clerk 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		

November 18, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, met on the above date at 5:00 p.m., Councilwoman Hanifa G.N. Shabazz presiding. The following items were discussed:

- Review a Resolution acquiring 615 South Church Street for the development of the South Wilmington Wetlands Project
- Discuss a Resolution authorizing the City of Wilmington to apply for a DHSS Drinking Water Innovation and Technology Grant

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

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

TREASURER'S REPORT

The following Treasurer's Report dated November 19, 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.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON November 19, 2015

102	Community Development Block	M & T Bank	\$ 1.00
104	Grant	M & T Bank	\$ 3,396.81
105	Old Non-Uniform Pension Account	M & T Bank	\$ 2,038.47
106	Police Pension Account	M & T Bank	\$ 2,616.03
107	Fire Pension Account	M & T Bank	\$ 219,924.66
108	Evidence/Found Currency Account	M & T Bank	\$ 4,137.97
110	Rent Withholding Escrow	M & T Bank	\$ 1.00
113	Capital Projects Account	M & T Bank	\$ 1,431.94
114	Non-Uniform Pension	M & T Bank	\$ 99,312.83
117	Central Deposit	Wilmington Savings	\$ 33,459.43
118	Cement Workers	Fund	\$ 13,003.23
124	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 5,044.71
130	Non-Uniform Pension Act of 1990	M & T Bank	\$ 201,540.71
131	Payroll	M & T Bank	\$ 24,388.18
139	Pension Payroll Account	M & T Bank	\$ <u>2,640.16</u>
	Pension Healthcare Account	M & T Bank	\$ 612,937.13
	Total Cash on Hand		

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	11/19/15	0.01%	\$ 1.42	\$ 5,184,405.00
116	General	WSFS	CD	11/20/15	0.30%	\$ 295.89	\$ 1,500,000.00
116	General	TD	CD	11/23/15	0.25%	\$ 215.76	\$ 1,500,000.00
116	General	TD	CD	11/24/15	0.25%	\$ 688.36	\$ 1,500,000.00
124	Non-Uniform 1990	WSFS	CD	11/24/15	0.30%	\$ 418.84	\$ 1,960,000.00
106	Fire Pension	WSFS	CD	11/24/15	0.30%	\$ 143.17	\$ 670,000.00
105	Police Pension	WSFS	CD	11/24/15	0.30%	\$ 39.53	\$ 185,000.00
116	General	TD	CD	11/25/15	0.25%	\$ 1,150.69	\$ 2,000,000.00
116	General	WSFS	CD	11/30/15	0.30%	\$ 5,486.30	\$ 7,500,000.00
116	General ¹	TD	CD	12/01/15	0.25%	\$ 10,598.01	\$ 15,169,686.00
110	Capital ²	TD	CD	12/04/15	0.25%	\$ 1,107.68	\$ 1,540,195.00
116	General	TD	CD	12/04/15	0.25%	\$ 575.35	\$ 1,200,000.00
116	General	WSFS	CD	12/11/15	0.30%	\$ 1,591.23	\$ 2,200,000.00
110	Capital	WSFS	CD	12/16/15	0.30%	\$ 10,113.36	\$ 14,476,000.00
116	General	TD	CD	12/17/15	0.25%	\$ 465.76	\$ 2,000,000.00
116	General	WSFS	CD	12/22/15	0.30%	\$ 1,561.64	\$ 2,000,000.00
116	General	WSFS	CD	12/22/15	0.30%	\$ 1,209.86	\$ 1,600,000.00
116	General	WSFS	CD	01/08/16	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	01/22/16	0.30%	\$ 2,005.47	\$ 2,000,000.00
116	General	WSFS	CD	01/25/16	0.30%	\$ 1,183.56	\$ 1,500,000.00
110	Capital	TD	CD	02/19/16	0.38%	\$ 3,868.31	\$ 4,083,085.92
110	Capital	TD	CD	03/18/16	0.38%	\$ 12,389.05	\$ 10,000,000.00
110	Capital	WSFS	CD	05/20/16	0.40%	\$ 19,945.21	\$ 10,000,000.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
110	Capital	WSFS	CD	11/18/16	0.50%	\$ 99,726.03	\$ 20,000,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,442,087.00
104	Escrow Pension	Vanguard					\$ 40,021,708.00
104	Escrow Pension	Black Rock					\$ 24,613,744.00
104	Escrow Pension	Edgar Lomax					\$ 20,319,574.00
104	Escrow Pension	Wilmington Trust					\$ 44,491,234.00
104	Escrow Pension	Manning & Napier					\$ 9,463,072.00
104	Escrow Pension	Earnest Partners					\$ 16,435,319.00
104	Escrow Pension	GMO					\$ 11,093,431.00
104	Escrow Pension	MFS Management					\$ 20,762,687.00
104	Escrow Pension	American Funds					\$ 9,872,488.00
139	Medical Escrow	Black Rock-OPEB					\$ 13,443,800.00
116	Deferred Comp.	MassMutual					\$ 39,499,208.00
	Total Investments						\$ 374,566,918.02
	Total Cash on Hand						\$ 612,937.13
	Grand Total						\$ 375,179,855.15

¹ Budget Reserve

² SEU

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

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

D. Brown	Recognize Dr. Lamont Browne
D. Brown	Pettinaro Management, LLC - 50 th Anniversary
Cabrera	Welcome Ji Seong-ho
Cabrera	Commend Manuel Diaz Rivas 65 th Infantry Regiment
Gregory	Sympathy Willie J. Snow, Sr.
Gregory	Recognize Howard High School Retired Teachers
Gregory	Congratulate former Blue Rock Players & World Series Champions
Gregory	Commend Delta Sigma Theta Sorority, Incorporated, Mu Pi Chapter
Gregory	Retirement Christina Superintendent Dr. Freeman Williams
Gregory/M. Brown	Best wishes John Monk - 85 th Birthday
Gregory/Wright	Congratulate Tatiana and Gerret Copeland Maritime Center
Shabazz	Sympathy Barbara Costango

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing 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. Darius Brown: Yes Mr. President, I have a Resolution to present.

Mr. Darius Brown presented Resolution No. 15-054 (Agenda #4119) as follows:

WHEREAS, pursuant to Wilm. C. (Charter) §1-101, 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 the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings; and

WHEREAS, the City of Wilmington (the "City") currently owns the parcel of real estate located at 707 East 9th Street (the "Property"); and

WHEREAS, the Department of Real Estate and Housing recommends that the property be disposed of to Mainstream Properties for renovation and sale to a homeowner; and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to approve the disposition of 707 East 9th Street so that the Property may be sold to Mainstream Properties for nominal consideration so that it may be renovated for sale to a homeowner.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby authorizes and approves the disposition of the above-described Property.

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. Darius Brown: Mr. President, I move that this Resolution be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded and filed and adopted Yea and Nay Vote.

On the question:

Mr. Darius Brown: Yes Mr. President, this Resolution authorizes the disposition of 707 East 9th Street to Mainstream Properties for renovation and sells to a homeowner. It's a part of our efforts on the Eastside of Wilmington to stabilize that area and create homeownership opportunities and so we're -- look to support and endorsement of the City's Real Estate and Housing Department. They have vetted this applicant and are in support of this disposition and so am I.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Mr. Williams/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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Brown.

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

Mr. Darius Brown presented Resolution No. 15-055 (Agenda #4120) as follows:

WHEREAS, Eric Robinson was born and raised on Wilmington's East Side and represented the 3rd Council District from February of 2011 to November of 2012. Eric was a community leader, activist, real estate entrepreneur, and professional photographer; and

WHEREAS, Mr. Robinson was affiliated with the Delaware Urban Farm and Food Coalition, Trees for Wilmington (Working Group for the Wilmington Beautification Commission), and Delaware Center for Horticulture (former Board Member); and

WHEREAS, in 2008, under the leadership of Eric Robinson, the Delaware Urban Farm and Food Coalition implemented Wilmington's first urban farm at 12th and Brandywine Streets in the Eleventh Street Bridge neighborhood; and

WHEREAS, this urban farm, managed by a Delaware Center for Horticulture part-time grower, consists of a traditional community growing space for 19 neighborhood families and includes a commercial production area; and

WHEREAS, the purpose of the urban farm is to produce healthy, fresh and local food for the neighborhood, bringing the community together with its weekly produce market during the growing season, and also operating as a teaching space for city youth and adults alike; and

WHEREAS, Mr. Robinson was featured in The News Journal in several articles, including "City Neighbors Turn Over a New Leaf" (2006) and "Neighbors Grow a Garden - and Good Will" (2009), and went on to receive numerous community service awards including the Greenspace Challenge Award and the Community Service Award from the Ernest Louis Webster Foundation for Dedicated Community Service in the 11th Street Bridge Community; and

WHEREAS, Mr. Robinson also served as the President of the 11th Street Bridge Civic Association until 2011 and was President of the 3rd District Neighborhood Planning Council from 2009 to 2011. During his time as a neighborhood leader, and later as a member of City Council, Mr. Robinson partnered with various organizations on different projects to enhance the quality of life for the citizens of Wilmington; and

WHEREAS, the 12th and Brandywine Urban Farm has been recognized as a national and regional leader, receiving the Garden Club of America's Founders Fund Award in 2010 and the Pennsylvania Horticulture Society's Community Greening Award in 2012.

NOW, THEREFORE, BE IT RESOLVED, that Wilmington City Council encourages the Delaware Center for Horticulture to rename the "12th and Brandywine Urban Farm" to the "Eric Robinson Urban Farm at 12th and Brandywine" in order to recognize and honor Eric Robinson for his lasting positive impact on the Northeast community.

Mr. Darius Brown: Mr. President, I move that this Resolution be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams/Mr. Michael Brown: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded and filed and adopted Yea and Nay Vote.

On the question:

Mr. Darius Brown: Yes Mr. President, I wanted that Resolution to be read in its totality because I wanted the work of Eric Robinson in the City of Wilmington and specifically in the 11th Street Bridge area to be recognized and honored here tonight. He served this body and he served this body well. He was a pioneer in urban agriculture in the City of Wilmington. The location that we're preparing to name after him is – was Wilmington's very first Urban Farm and he was committed to the work and till this day, his wife who we recognized, continues to be committed to work of the Urban Farm and continues his legacy of community service and so with that, I just ask for the vote for this Resolution.

President Gregory: Mr. Wright.

Mr. Wright: Can I be added as a co-sponsor please?

President Gregory: Absolutely. Mr. Freel.

Mr. Freel: I want to thank you for bringing this Resolution forward. Eric was a fantastic guy who worked very hard to improve his community and in turn the City of Wilmington and he deserves this recognition and so many more.

President Gregory: Mr. Michael Brown.

Mr. Michael Brown: Can I be added please?

President Gregory: Ms. Shabazz.

Ms. Shabazz: I'd like also to be added.

President Gregory: No, we'll add everybody. Now, just let me say what we're going to do. We're going to take that Ordinance and we're going to make it nice and fancy with some stuff around...

Mrs. Seijo (City Clerk): Resolution.

President Gregory: ...we're going to put in a frame for you. Okay? You're more than welcome. The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Mr. Williams/Mr. Michael Brown, 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, Cabrera and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 15-056 (Agenda #4121) as follows:

WHEREAS, given the rich array of amenities that Wilmington offers to City residents and visitors, enhancements to regional transit infrastructure and capacity are vital to contributing to the City's economic development; and

WHEREAS, rail commuter transportation options can provide regional residents with the opportunity for affordable, flexible and efficient travel between destinations throughout the area, Wilmington included; and

WHEREAS, the span between Perryville, Maryland, and Newark is the only segment of the Northeast rail corridor without commuter rail service; and

WHEREAS, acknowledging the increase in demand over time, Delaware Transit Corporation and Delaware Authority for Regional Transit (DART) officials have announced discussions with the Maryland Transit Administration regarding the possibility of extending service from MARC, Maryland's regional commuter rail line, to Delaware by 2018; and

WHEREAS, officials are exploring the potential of a Newark-Baltimore line or a Wilmington-Baltimore line that could be made possible following reconstruction of the Newark train station, as well as bus service to Aberdeen, Maryland; and

WHEREAS, the City Council applauds these efforts to enhance rail and transportation connectivity, and to further position Wilmington as a regional transit hub.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports the efforts on the part of Delaware and Maryland transit officials to explore the possibilities for expanding MARC commuter rail service into Delaware, and encourages transportation leaders in the First State to continue their efforts to strengthen Wilmington's public transportation infrastructure as a means towards improving connectivity and supporting the City's economic development.

Ms. Shabazz: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that the Resolution be received, recorded and filed and adopted Yea and Nay Vote.

On the question:

Ms. Shabazz: Yes Mr. President, this Resolution supports the efforts of the Delaware Transit Corporation and the Delaware Authority for Regional Transportation to work with the Maryland Transportation Association to provide rail service between Perryville, Maryland and Newark, Delaware. The distance between Perryville and Maryland and Newark, Delaware is the only segment of Northeast rail corridor that does not have community rail service. The DART officials who began discussing this with the MARC regarding expanding this transportation rail to – into Wilmington and it will begin in Delaware – in place in Delaware by 2018. This would also make possible reconstruction of the Newark Train Station. As you know, as we continue to revitalize Wilmington, having an easy access trail and form of transportation is essential to our continue growth. So, I ask that my colleagues support this.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: I have another Resolution to present.

Ms. Shabazz presented Resolution No. 15-057 (Agenda #4122) as follows:

WHEREAS, Wilmington offers a wide array of amenities to its visitors, with organizations in the downtown area and on the riverfront, among others, frequently attracting visitors from throughout Delaware and the surrounding region; and

WHEREAS, enhancing and expanding public transportation options for those seeking to visit Wilmington would only serve to boost the City's economic development and growth objectives by attracting more visitors to the City; and

WHEREAS, community leaders have long petitioned the Delaware Transit Corporation and the Delaware Authority for Regional Transit (DART) to investigate expanding train service to Wilmington from Philadelphia through the Southeastern Pennsylvania Transportation Authority (SEPTA); and

WHEREAS, DART officials have announced their expectations that SEPTA service to Wilmington on weekday and weekend evenings will be expanded in December with the addition of two daily, round-trip trains between Philadelphia and Wilmington; and

WHEREAS, the City Council applauds the efforts of community leaders in Wilmington in calling for this expansion, and the efforts of DART officials in their responsiveness to these requests.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Council supports the anticipated expansion of SEPTA service from Philadelphia to Wilmington, and encourages Delaware transportation officials to continue investigating options to expand the regional public transportation infrastructure in order to further support the City of Wilmington through commerce and economic development.

Ms. Shabazz: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: 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: Yes Mr. President, this Resolution too is regarding to the continued expansion of our transportation amenities here in Wilmington. By supporting this effort, the DTC and DART would be working with the Southeast Pennsylvania Transit Authority, which we know as SEPTA, to expand our rail service between Wilmington and Philadelphia to include more weekdays, more weekday evenings and round-trip trains. This would again able easy access into Wilmington from our surrounding Philadelphia and other locations.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: I have another Resolution to present.

Ms. Shabazz presented Resolution No. 15-058 (Agenda #4123) as follows:

WHEREAS, pursuant to Wilm. C. (Charter) §1-101, 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 the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings; and

WHEREAS, the City of Wilmington (the “City”) currently owns the parcels of real estate located at 2700 Moore Street, 2702 Moore Street, 509 Concord Avenue, 911 North Pine Street, 1007 North Pine Street, 822 East 17th Street, 1006 North Spruce Street, 2506 Thatcher Street, 316 New Castle Avenue, and 404 North Clayton Street (collectively, the “Properties”); and

WHEREAS, the Department of Real Estate and Housing recommends that the Properties be disposed of to Central Baptist CDC for the purpose of being part of the National Community Reinvestment Coalition’s ‘Growth’ initiative; and

WHEREAS, the ‘Growth’ initiative has the objectives of (1) building an inventory of affordable, secure homeownership options for low and moderate income families through targeted investment in their communities, (2) providing housing and financial capability counseling to qualified homebuyers, and (3) creating construction jobs and workforce apprenticeship opportunities in targeted communities, as well as providing workforce readiness training; and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to approve the disposition of 2700 Moore Street, 2702 Moore Street, 509 Concord Avenue, 911 North Pine Street, 1007 North Pine Street, 822 East 17th Street, 1006 North Spruce Street, 2506 Thatcher Street, 316 New Castle Avenue, and 404 North Clayton Street to Central Baptist CDC for use of the Properties in the National Community Reinvestment Coalition’s ‘Growth’ initiative.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby authorizes and approves the disposition 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.

Ms. Shabazz: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: 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: Yes Mr. President, this Resolution approves the disposition of ten (10) properties to the Central Baptist CDC. It’s just been through the – authorized

through the Administration and through the Real Estate and Housing Department for disposition of these properties to the Central Baptist CDC. Also, being a part of the National Community Reinvestment Coalition's Growth Initiative, this mission of Growth Initiative is to provide affordable housing to low to moderate income people as well as to provide financial counseling as well as construction jobs. This would give capacity to the Central Baptist CDC to train – to have properties within a community as well as supervise local construction training as well as employment for the local residents.

President Gregory: Is this the site where they've started the work Ms. Shabazz?

Ms. Shabazz: No sir that was through Wilmington Housing Partnership. This would be....

President Gregory: Is there a reversionary – something that triggers a reversionary process if the work – if it's not done by a certain time or if it's done at all?

Ms. Shabazz: Yes sir but this has already been vented by the capacity of the Central Baptist CDC to have what's necessary to make this happen.

President Gregory: That's a conclusory answer.

Ms. Shabazz: Yes it is - - it is a clause in there to for - - yes sir.

President Gregory: Oh, oh okay; all right. I'm sorry I didn't read it in detail for that purpose. Do you know what the reversionary is? If you don't that's fine. I should have read it for myself.

Ms. Shabazz: I don't.

President Gregory: I'm fine. The Clerk will call the roll.

Upon a motion of Ms. Shabazz, 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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and 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 another Resolution to present.

Ms. Shabazz presented Resolution No. 15-059 (Agenda #4124) as follows:

WHEREAS, pursuant to Wilm. C. (Charter) §1-101, the City may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

WHEREAS, Church Group, LLC (the “Seller”), a Delaware limited liability company, has agreed to sell, and the City has agreed to purchase, contingent upon Wilmington City Council (“Council”) approval, the real property located at 615 South Church Street, Wilmington, Delaware, being Tax Parcel No. 26-057.00-028 (the “Property”) for \$459,500.00. That certain Agreement of Sale is attached hereto as Exhibit “A”; and

WHEREAS, the City intends to utilize the Property for the development of the South Wilmington Wetlands Project, for the remediation of flooding in the Southbridge neighborhood, and for the construction of a new right of way that will provide improved traffic circulation in south Wilmington; and

WHEREAS, the South Wilmington Wetlands Project and the land acquisition of the Finger-Gordon Property was approved by Ordinance 13-025 on September 4, 2013; and

WHEREAS, it was anticipated that the project would require the acquisition of additional lands; and

WHEREAS, part of the Property will be utilized as a portion of the South Wilmington Wetlands Project; and

WHEREAS, part of the Property will be utilized for the creation of a new right of way; and

WHEREAS, the funding for this acquisition was approved as part of the Capital Improvement Program for Fiscal Years 2014-2019 and 2014 Capital Budget, with the Water/Sewer fund being the source of the funding.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council authorizes and approves the acquisition of the Property by the City from Seller for Four Hundred Fifty Nine Thousand Five Hundred Dollars (\$459,500.00).

BE IT FURTHER RESOLVED that Council authorizes the Mayor or his designee to execute any and all documents and to take all actions necessary to effectuate the purchase and transfer of the Property to the City.

Ms. Shabazz: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: 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: Yes Mr. President, this Resolution authorizes the Administration through the Office of Economic Development to purchase a property at 615 Church Street at a cost of \$459,000 from the seller Church Group LLC. The City

will use this property as part of the South Wilmington Wetlands Project to remediate flooding in the Southbridge area and for construction of a new right-of-way to provide improved traffic circulation in South Wilmington. And, as presented in the Public Works Committee the other day, we could see clearly how this would be a great amenity to the wetland and also enhance the economic development for new homeownership and economic movement in the South Wilmington area.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Shabazz.

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. 15-054 (Agenda #4125) entitled:

AN ORDINANCE AUTHORIZING THE CITY TO ENTER
INTO A LEASE AGREEMENT WITH OPTION TO
PURCHASE FOR THE PARCEL OF LAND LOCATED AT
401 GARASCHE LANE

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Public Works Committee. Motion prevailed.

President Gregory: Mr. Prado.

Mr. Prado: Mr. President, I have a Resolution to present.

Mr. Prado presented Resolution No. 15-060 (Agenda #4126) 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 given Cornerstone Community Development Corporation ("Cornerstone") a Neighborhood Stabilization Grant in connection with Tax Parcel No.

26-033.20-150, a property located at 127 North DuPont Street, Wilmington, DE 19805, (the "Property"); and

WHEREAS, the City has deemed the Neighborhood Stabilization Grant given to Cornerstone as a failure due to the expiration of Cornerstone's construction funding contract and a lack of other funding sources for Cornerstone to renovate the structure; and

WHEREAS, The City has requested that Cornerstone return \$21,594.71 of the Neighborhood Stabilization Grant funding used to acquire the Property; and

WHEREAS, Cornerstone has agreed to return the \$21,594.71 in Neighborhood Stabilization Grant funds if the City of Wilmington takes ownership of the Property; and

WHEREAS, the City's Department of Real Estate and Housing has agreed to take ownership of the property; and

WHEREAS, after acquisition of the Property, the City intends to transfer or redevelop the Property to assist with revitalization efforts in the neighborhood surrounding the Property.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF WILMINGTON 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, Cornerstone Community Development Corporation, in exchange for the return of the \$21,594.71 in Neighborhood Stabilization Grant funds, and authorizes the Department of Real Estate and Housing 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. Prado: I move this Resolution be received, recorded and adopted by Yea and Nay Vote.

Mr. Williams: 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:

Mr. Prado: Yeah, this is a Resolution that would authorize the City to acquire 127 N. DuPont Street. Cornerstone was supposed to fix it but they ran into some financial trouble and they've giving back the \$21,000 – over \$21,000 Neighborhood Stabilization Grant that was to be used – they're giving that back also.

President Gregory: Declare – call for the vote...Mr. Brown.

Mr. Michael Brown: I'm glad that Mr. Prado brought to the attention that this is some property that the original people could not keep for whatever financial reasons there were. I don't want to look up and see if we've done - - we take this

property and then mess around and find – find somebody from that same organization slipping – putting in a letter saying give it – give it to them for \$1. I’ve seen it happen and you know, it’s not our fault that – and I don’t mind pulling people out of – out of some hard times that has been good to this community but sometimes we find some developers such as Cornerstone and maybe they got over their heads. Mr. Calistro himself – he does a lot of things for that community but he might have gotten in over his head and could not keep up with this particular property. So, I don’t want – I don’t want to say yes to it and I’m going to vote for it but I don’t want to see it come back around as if - - six months from now, a year from now, that we’re giving that property back to Cornerstone for less than little or nothing. Remember about two years ago – no, four years ago before this Council convened, we brought some property on Washington Street, we bought it for \$125,000 and, and, and, and they sold it back to us for \$325,000 and I made a big stink about that. If some of you remember, those that have been here before the four years that this Council sat, so I don’t want to keep coming back and forth. You know, so we can help Mr. Calistro if that’s what this is doing and I vote yes for it.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I drive pass this property every single day and it has become a bit of eye sore for the community, so what I’d like to do is be a co-sponsor on this legislation.

President Gregory: So noted. The Clerk will call the roll.

Upon a motion of Mr. Prado, 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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and 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: Thank you Mr. President. No legislative business tonight.

President Gregory: Mr. Williams.

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. 15-038 (Agenda #4080) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 AND CHAPTER
42 OF THE CITY CODE REGARDING THE CREATION OF
A PILOT PROGRAM OF REGULATIONS SURROUNDING
MOBILE FOOD VENDING UNITS

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

AN ORDINANCE TO AMEND CHAPTER 5 AND CHAPTER
42 OF THE CITY CODE REGARDING THE CREATION OF
A PILOT PROGRAM OF REGULATIONS SURROUNDING
MOBILE FOOD VENDING UNITS

Mr. Williams: Mr. President, I move that be known as the Enacting Clause of the Substitute Ordinance and called for a Yea and Nay Roll Vote.

Mr. Wright: Second.

President Gregory: It's been properly moved and seconded that be known as the Enacting Clause of the Substitute Ordinance and called for a Yea and Nay Roll Vote.

On the question:

Mr. Williams: Mr. President, this Ordinance is being presented by the Administration and City Council for our review and approval. If approved, Council would be authorizing the City to establish a pilot program for mobile food vending vehicles to park on City streets in metered parking spaces that are designated by the Commissioner of Public Works. The pilot program will begin when this Ordinance becomes law and will end on June 30, 2016. Licensed and inspections and property permitted – and properly permitted food vending vehicles would be given an opportunity to reserve City-designated parking space on a daily basis from 7 a.m. to 3 p.m. and during the evening hours. Each approved food vendor would pay the City a daily fee of \$22.00 which is an amount that would cover the daily average income of a two metered spaces that would be – that would require to accommodate the food vending vehicle. Each vendor would also pay a transaction fee to an online vendor and approved by Public Works Commissioner which would handle the daily scheduling of the locations which the mobile food vendors would reserve. Under this Ordinance, a food vendor's vehicle operator will be allowed to conduct business if he/she has a valid State and City business license, has passed a safety inspection by the City Fire Marshal's Office, has obtained proper insurance and State health inspection documentation, all of which has been verified by the City's Department of Licenses and Inspections. Currently, food vending trucks are only required to be inspected by the City Fire Marshal's Office prior to a special event in the City. As stated, it's a six month pilot; it puts us in a great position to allow our City to grow. As we've heard from the public comments, they are an attraction

in of themselves, so, you know, to bring people downtown is going to be very beneficial and plus we're going to look at enacting other sparks throughout the City and that would be based on recommendations made to the Director of Parks, I'm sorry, of Public Works through the committee. So, we will give a Council Member heavily weighted recommendations on that process.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I'm always for economic development in the City and would like to be added as a co-sponsor for this legislation please.

President Gregory: So noted. I have reservations with respect to the public policy implications of the Ordinance either intended or unintended consequences. However, being progressive and recognizing that the City must move forth and also recognizing that there's a sunset provision in here for June of 2016, I'm in favor of the chance – the chance to see if this works. But, I do have my reservations of we do things and sometimes we have unintended consequences; so, we'll will see; we'll see. Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. And I too, have had numerous conversations with business owners as well as residents about how they feel about this legislation and it is a progressive move and Wilmington is on a progressive movement. Because of the checks and balances that I know that we will have a (inaudible) measurable outcome, the successes, the feel affects – the procedural affects it might have, it gives me a little bit more comfort to know that we will not – we're not anything that's detrimental to our current businesses; that we are trying to be progressive and move the way that the new population of – of Wilmington residents would want because this is something that is very, very popular to the new (inaudible), excuse me – that are moving into our downtown and through our City. So, if – if we did not have the various checks and balances in place where we are monitoring it's progress, it's ill effects upon the economy of the current businesses, I would be a little bit more understanding about it. But, as you said, government's responsibility is to not – to hinder competition but to generate competition so that we can continue to grow.

President Gregory: Mr. Congo.

Mr. Congo: Yes, thank you Mr. President. I think this is a great idea, in full support, but I – I have some concerns because it seems like we're almost being too strike on the food – on the food trucks. It doesn't seem like we – maybe I don't seeing the whole picture but it doesn't seem like we take these kinds of precaution with a traditional restaurant as we're doing with the food trucks with the – with the time trial period and I just hope that we're fair to them. When I say we, I mean just we as a community. I don't understand why we're being so – why we're micromanaging it the

way we are when it's just a different form of another restaurant. If a restaurant was to open next to – if a traditional restaurant was to open next to one similar to it, I'm not sure if we'd be going through this same thing. So, I just hope that we're fair to them and I wish them all of the success.

President Gregory: I wish them success also but I think it's – our objective is to reach some common ground for the old and the new and mill the two together. When you do have something new you do it on a pilot basis or you just grow into it. So, I think it's a responsible way to do it. Mr. Brown.

Mr. Michael Brown: Yes Mr. President, thank you very much. I came tonight listening to the folks speak – who spoke for this and I was listening to and reading the piece of Ordinance but I came to be – to actually vote against it but I'm not – I'm not. I believe that their – or hearing the few voices that I heard on the downtown and other business people but none of them came in here. Hearing the voices of the people from downtown that own restaurants and none of them called uptown. Not to my knowledge – on the 9th floor. And, plus I'm, I'm, you know, I'm 6 years old and I'd to see changes, you can't be stuck in the same position all the time and expect to see progress if you're not moving forward. So, I want to see us move forward, so, I'm going to vote for it and I'm not going to say anything against it. They have my support and I'd like to be added as sponsor, co-sponsor.

President Gregory: So noted. Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President. I too am in favor of this Ordinance. I think it does move our City forward but I believe that the gentleman during public comment brought up a couple good points. One in particular, about the noise from generators; I think that that should be taken into consideration during our period of assessment and how we monitor.

President Gregory: I talked to Mr. Williams about that offline and he indicated that we do have a noise ordinance and also if when we grant or give folks permission to park, we also can go and talk to them and tell them, you know, your generator is a little too loud, you need to calm it down or your license will be taken. So, we do have that in place as discretionary. Darius Brown – Mr. Brown.

Mr. Darius Brown: Thank you Mr. President. When this Ordinance was first presented to me, it was presented to me as an Ordinance that would be piloted in the neighborhoods and what we as Council have been deliberating over in the last few months is a completely separate piece of legislation than what was initially presented to me. I fully support our growth in the Riverfront area and Downtown and I know that we may look at those areas as more gentrified areas or progressive areas or yuppie areas but there's many individuals within our neighborhoods that would like to take advantage and patronize food trucks and those types of businesses if they were established in our

neighborhoods. And, so, I want to go on record in saying, you know, let's be intentional in the legislation that we craft to consider neighborhoods more even in pilot projects and programs that we establish. I also want to ask the sponsor, I looked through it a few times, I know in our synopsis it talks about – sorry, not even in our synopsis, in our Council's synopsis it talks about locations for the pilot program but I don't see that articulated in the actual Ordinance. So, if you could highlight that in the Ordinance to me.

President Gregory: Mr. Williams.

Mr. Williams: Yes sir, the one spot would be Justison Street down by the train station and the other spot would be HB DuPont Plaza and another spot would be in the 500 block of Market. Now, we do have provisions in here to expand this operation and as I stated in my opening statement is that's something we have to work directly with the district Council person and persons At-Large to establish those additional spots to make sure that's what you want in your district.

Mr. Darius Brown: Follow-up Mr. President; but for the actual language of the Ordinance are those – I did not find those three locations in the Ordinance.

Mr. Williams: Correct. They're the spots that are designated right now and that's under the direction of Commissioner and they can be moved based our findings whether this program is working or not.

Mr. Darius Brown: We're voting on a pilot of three locations that are not articulated in legislation.

President Gregory: Well often times when you pass a piece of legislation and then you have regulations that you put in place to actually execute the legislation. I think that it was understood that those were the three locations. I would be very surprised if the Commissioner would come back and do something other than what he stated on the record as what's going to take place. Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. Those were the proposed and as it says in the legislation, it's up to the – up to the discretion of the Commissioner as to what those locations are. The legislation speaks to how many spots we can have and it proposed to – because it tried to build out the pilot, those were the suggested locations of what we would start off the pilot with. And, in reference to the comments about the food trucks being into the neighborhoods, that too was one of the suggestions that I had but I vetted it out with the Administration and all of us at the table of trying to build this and in started – and trying to start it, we needed to have a base – some similarities in the legislation to start off with a pilot. All our neighborhoods have different characteristics and different and different landscapes, so as we continue to look at the pros and cons of this and how it all works out, it will – it definitely will expand into the neighborhoods because I'm also a very much advocate of having such opportunities in the neighborhood.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Williams, seconded by Mr. Wright, 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: Council Members Chukwuocha, Congo, Shabazz, Prado, Dorsey Walker, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, Council Members Darius Brown and Freel. Total, two. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: Yes Mr. President, I have I believe three Resolutions, two Ordinances for third and final and one Ordinance for first and second.

Mr. Freel presented Resolution No. 15-061 (Agenda #4127) as follows:

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

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

WHEREAS, on August 27, 2015 City Council passed a resolution to extend the City Planning Commission's time for review by ninety (90) days to on or about December 1, 2015; and

WHEREAS, City Council believes it is necessary and desirable to extend the City Planning Commission's time for review by an additional ninety (90) days through and including March 1, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the time for review and submission of a report by the City Planning Commission on Ordinance No. 14-026, or a Substitute thereto, is hereby extended an additional ninety (90) days through and including March 1, 2016.

Mr. Freel: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams/Mr. Prado: 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:

Mr. Freel: Yes Mr. President, this just extends the review period for this rezoning for the old Wilmington Finishing Company to March 1, 2016.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Mr. Williams/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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel; Resolution.

Mr. Freel presented Resolution No. 15-062 (Agenda #4128) as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the 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, LOCAL 320, a copy of which is attached hereto and made a part hereof, to be effective as of July 1, 2015, is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to execute as many copies of the said Contract as may be necessary.

Mr. Freel: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Prado: 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:

Mr. Freel: Yes Mr. President, this is an agreement between the City of Wilmington and Local 320. I believe that Council Members have kind of a summary sheet in front of them that lays out some of the items of the – of the agreement. There's a three percent (3%) COLA increase; there's a one-time payment depending on when you started with City whether its \$2,000 or \$4,000. I also want to point out that there is a change in the healthcare payment plan. Instead of them just paying a flat rate, now employees will be a percentage of the premium depending on what plan they select and everything like that. For this group, as you know, there's always been a clause in their contract about working in inclement weather. It used to be precipitation and forty-five degrees. Well the forty-five degrees has been changed to forty degrees. The other thing with this specific clause is that it brings it in line with other unions in the City and employees in that they'll have two floating holidays now (Lincoln's Birthday and Columbus Day) so there won't be that confusion any more with trash pickup and things like that. That's some of the items that are in the – in the agreement.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, 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, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, eleven. Nays, Council Member Freel. Total, one. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: We have another Resolution.

Mr. Freel presented Resolution No. 15-063 (Agenda #4129) as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the 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, Local 1102, a copy of which is attached hereto and made a part hereof, to be effective as of July 1, 2015, is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to execute as many copies of the said Agreement as may be necessary.

Mr. Freel: Mr. President, I move this Resolution to be received, recorded and filed and adopted by Yea and Nay Vote.

Mr. Williams: 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:

Mr. Freel: Yes Mr. President, this is the agreement between the City and Local 1102. Once again, I hope you have the summary sheet. This is a three year contract; it's a 2.25% COLA increase. Once again, it's a one-time payment similar to the one we just mentioned in the other one and same goes with the healthcare plan. There's a change in how that – in the premiums that would be paid by the employees.

President Gregory: 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, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Michael

Brown, Cabrera and Wright, and Council President Gregory. Total, eleven. Nays, Council Member Freel. Total, one. Absent, Council Member Walsh. Total, one.

President Gregory: Declare it adopted.

Mr. Freel presented and called for the first and second reading Ordinance No. 15-055 (Agenda #4130) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT
16004DFPS – PURCHASING CARD PROGRAM –
WITH BANK OF AMERICA MERRILL LYNCH

The aforementioned 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 Finance Committee. Motion prevailed.

President Gregory: Mr. Freel.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-040 (Agenda #4098) entitled:

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF THE WILMINGTON NEIGHBORHOOD CONSERVANCY
LAND BANK

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

AN ORDINANCE TO AUTHORIZE THE ESTABLISHMENT
OF THE WILMINGTON NEIGHBORHOOD CONSERVANCY
LAND BANK

Mr. Freel: Mr. President, I move that be known as the Enacting Clause of the Substitute Ordinance and called for a Yea and Nay Vote.

Mr. Williams/Ms. Shabazz: 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: Mr. President, first I need to – I'd like to offer an amendment to the Ordinance. There's actually two pieces to the amendment. First, it's on Page 5 at the bottom of the page and I hope I'm not going to confused people too much with this.

At the end of word "individual" I'm going to delete "*selected by the Board of Directors that*" and we're also going to delete the sentence "*the Chairman of the WNCLB Technical Board shall only vote for the purpose of breaking a tie between the other members of the WNCLB Technical Board*". In place of that language, we would like to add right after the first word "The", "*meetings of WNCLB*" and then we would like to also add the language "*duly elected by the representatives comprising the WNCLB Technical Board*". "*The WNCLB Technical Board chairperson*" and then it goes back into the regular language. The second part of the amendment is to – the list of organizations above...

President Gregory: Can we – can we do this Mr. Freel? If you don't mind, can we vote on that amendment first?

Mr. Freel: Okay. Well that was one amendment.

President Gregory: I need a second.

Mr. Williams: Second.

President Gregory: It's properly moved and seconded as to that amendment. On the question.

Mr. Freel: Basically, all we're trying to do here at the request of some community members is instead of the Board of Directors of the governing body selecting who will represent the Technical Board, the representative from the Technical Board would decide who represents them.

President Gregory: And, this is the appropriate way to do.

Mr. Freel: I agree.

President Gregory: Now, on that motion, we're going to have a vote. All those in favor so note by saying Aye, Oppose; Ayes have it. That motion has carried.
Mr. Freel.

Mr. Freel: I apologize, it looks the other – the piece has already been corrected.

Ms. Shabazz: Yeah.

President Gregory: Okay; thank you.

Mr. Freel: I apologize.

President Gregory: Thank you. Okay, so now, on the question for the actual piece of legislation. Any more discussion? If not, - Mr. Chukwuocha.

Mr. Chukwuocha: Thank you Mr. President, my point was almost the same as Mr. Freel; it's about the Technical Board and about having community representation truly from – there are community-based housing agencies and I don't know if there was way in which, as far as the person who lives – was thinking about the relationship between the Wilmington Housing Partnership and the City and I'm thinking of that – that person who is designated to represent the Technical Board, if we could make a way that they be from outside of the City agency. I mean, just that difference and I don't if that's from the Technical Board standpoint but...

Mr. Freel: I'm not – I'm not sure I understand completely. You have a list here, Section 6 on who's on the...

Mr. Chukwuocha: ...yes sir.

Mr. Freel: ...Technical Board; okay.

Mr. Chukwuocha: And, I'm asking if there was a way that the representative not be from WHP. Here we're saying that they're going to vote on it but I just think that having WHP - the Wilmington Housing Partnership is close to the City and wouldn't allow that distinction as far as from a community-based perspective; giving that voice from outside agencies.

Mr. Freel: I hope we're talking about the same thing. What we're talking about is the Technical Board...

Mr. Chukwuocha: Yes sir.

Mr. Freel: ...just to select someone to be on the Governing Board.

Mr. Chukwuocha: Yes sir.

Mr. Freel: So all these – all these organizations here would be involved in that discussion.

Mr. Chukwuocha: I, I, I understand that and I don't know if I'm not making my point but I'm asking if there is way that that, that person who's representing the Technical Board, not be from the Wilmington Housing Partnership.

President Gregory: So, you're going to make a motion to say that Chair of the Technical Board cannot be on the Wilmington Housing Partnership?

Mr. Chukwuocha: That they would be the representative of the Technical Board.

Mr. Freel: Well I mean the Wilmington Housing Partnership is just one member out of about fifteen. If all these other organizations decide that they don't want – they don't someone from the Partnership, they won't be someone from the Partnership. But, I mean you have all groups here; your Cornerstone West, Bike Wilmington, Urban Farm Food Coalition, Central Baptist, I mean they will all be involved in selecting who their representative will be.

Mr. Chukwuocha: Yes sir; I hear the point. I don't know if I'm not being strong enough in making my point but trying to create this distinction between a City entity and what we're creating as far as the community representation voice. But I do understand the process; I just wanted that point to be known.

President Gregory: Thank you. It's not a deal breaker for you though, is it?

Mr. Chukwuocha: No it's not sir.

President Gregory: Ok, thank you. Ms. Shabazz.

Ms. Shabazz: I was understanding what he was saying that – that anybody on this list of Technical Board members could be the chair except the representative from the Wilmington Housing Partnership because it (inaudible)...

President Gregory: That's what I (inaudible)...

Ms. Shabazz: ...all of that...

President Gregory: ...I tried to (inaudible)...

Mr. Freel: I, I understand that but, you know, look at all these organizations, I mean you have a lot of groups here that are going to be a part of that discussion, so.

President Gregory: We made more of a democracy when we said that the operating board or the governing board who not dictate who the chair is for the Technical Board.

Mr. Freel: Right.

President Gregory: Now, we're moving in the other direction...

Mr. Freel: That's exactly right.

President Gregory: ...we're saying well you have a Technical Board of fifteen people but you can't vote – we going to reverse our concept to democracy and so you – you cannot elect the Wilmington Housing Partnership representative to be your chair when fifteen people are voted. Mr. Williams.

Mr. Williams: Thank you Mr. President. Section No. 3 when we get down to J, K, and L, we got one individual designated by the Governor of the State and Delaware; one individual designated by President Pro Tempore for the Senate and one individual designated by the Speaker of the House. Would it be okay to add strong emphasis that it should be a Wilmington resident?

President Gregory: Well the Governor has already indicated by letter who he's going to appoint Trish Kelleher. I forget the name of the organization she's with. What is it that you want to do exactly?

Mr. Williams: To designate them as a City resident because this Governor's term will be up in a year. I think that we really need to cover ourselves and have members on this Board that are representatives of the City of Wilmington.

President Gregory: So you want all those four officials to appoint city residents...

Mr. Williams: Correct...

President Gregory: ...to the Board?

Mr. Williams: ...those three (3); that's correct.

Mr. Freel: Mr. President, I'm trying to find it here; I think they either have to be resident or working within the City of Wilmington. My only concern is – I'm, I don't have in front of me the enabling legislation...

President Gregory: Right.

Mr. Freel: ...to determine what the State legislation says because they specifically talk about those three appointments.

Mr. Williams: Okay.

Ms. Shabazz: That's right.

Mr. Freel: But I mean, I know that they have to be either city residents or, or working within the City of Wilmington.

Mr. Michael Brown: It is in Section 3 down at the bottom.

Mr. Williams: Yeah, I saw that.

Mr. Michael Brown: Were each, the last paragraph, each appointed Board member must live in the City...

Mr. Freel: Thank you.

Mr. Michael Brown: ...or work.

President Gregory: Or work in the City of Wilmington.

Mr. Michael Brown: ...in the City.

Mr. Freel: During their term.

President Gregory: But what Mr. Freel is saying is that he doesn't know if the enabling legislation...

Mr. Williams: Right; and I don't....

President Gregory: ...takes it out of these (inaudible) or not. The Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Mr. Williams/Ms. Shabazz, 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: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and 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, we have another Ordinance for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-051 (Agenda #4115) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3
TO THE FISCAL YEAR 2016 OPERATING BUDGET,
BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1
TO ORDINANCE NO. 15-013, THE ORDINANCE
ADOPTING THE ANNUAL OPERATING BUDGET FOR

THE FISCAL YEAR BEGINNING ON JULY 1, 2015 AND
ENDING ON JUNE 30, 2016 (COLA & ONE-TIME
PAYMENT(S) FOR NON-UNION EMPLOYEES AND
MEMBERS OF AFSCME LOCALS 320 AND 1102)

Mr. Freel: Mr. President, I move that be known as the Enacting Clause of the Ordinance and call for a Yea and Nay Vote.

Mr. Williams/Ms. Shabazz: 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. Freel: Yes Mr. President, we just approved a couple of agreements with 320 and 1102 and also as you know the last meeting we tabled an Ordinance that dealt with the non-union, which now will be incorporated in this. As far as the impacts is, budgetary is it's going to be about a \$652,000 impact to the Fiscal Year '16 surplus that we have proposed right now. The other impact would be in the one-time funds of about two-million one-hundred forty-seven thousand nine-hundred dollars from all funds to cover the one-time payment. I did, I did want a couple of comments on this just to kind of explain my vote this evening on this and the agreements. And, I didn't mean for my votes to minimize the efforts of the individuals that have negotiated these contracts whether they're from the Unions or the Administration. But I still have concerns about the size of the one-time payment – the \$4,000 per employee. For six years while I've hosting the Budget Hearings, I've always stated that I'd like to see our employees get COLA increase – Cost of Living Adjustment increases and I'm glad to see that we are doing that part of it but I just think that it's too much with the additional \$4,000.

I know I've heard, I don't know how many other times, that the employees have not received increases, you know, for about seven years but there have been some increases. A couple of Unions received two in a half percent increases; there's been step increases; as you all know, we've – we've had debate over budget increases that were Budget; we had some promotions within the Administration this past three years that increased salaries; we had a bonus payment in '12 all employees, any of these years before this new contract the City always had to cover the increase in healthcare cost. These contracts with the large one-time payment, I mean, they would go a long way to deplete the Cash Reserve we now have in the Unassigned Cash Fund and the proposed budget surplus that we for 2016. As we go forward, you know, our budgets will probably do no more than cover personnel costs, debt service, and the small amount of MS&E that we had in Budgets. I mean, we're just – we're not going to have any funds for any kind of programs whether it's in public safety, economic development, housing, youth; we're just not going to have any – any additional dollars. So, it's concerned me, I don't think I've hid the fact about the one-time payments but I do want to explain my reasons for the no votes this evening. Thank you; I appreciate your time.

President Gregory: Thank you; the...Mr. Brown.

Mr. Michael Brown: I meant – yes, thank you Mr. President. I'm really, really glad to see that all of this has come to fruition where all – well, I don't know about Local 1590, I've asked about them in our last meeting, where they're at the table but I'm, I'm, I'm glad that we are able now to look how employees, all 1100 of them plus in the face and say, "how we appreciate what you're doing". Are there some – some tighten up that needs to be done? Is there some remedial training that needs to be done? Are there some improvements across the board in various departments? Yes, they need to be done but I am – I am – I am very glad that we've gotten to this point even though I, I've known, I've heard as of yesterday around twelve noon, and you were there Mr. President, and it was told to us that the Wilmington Police Department has – was victorious in their battle of this – this, this Administration trying to over – override what they were accomplishable to be paid; trying to be paid as equal as their counterparts in the City, I mean in the County and the State. I am glad. Let's just do this; let's just do this and as I said before when it was just – when it was just going to be the non-union folks, I wasn't going to vote for it until everybody was there. And, it appears that everybody is there and again I hope 1590 is at the table so we can get there too. But everybody in the City now is there and I will support what's going on. I will support it; thank you Mr. President.

President Gregory: The Clerk will call the roll please.

Upon a motion of Mr. Freel, seconded by Mr. Williams/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: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, eleven. Nays, Council Member Freel. Total, one. Absent, Council Member Walsh. Total, one.

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

Mr. Michael Brown: Yes Mr. President, thank you for asking me but truly nothing tonight. Thank you.

President Gregory: Ms. Cabrera.

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

Ms. Cabrera presented and called for the third and final reading Ordinance No. 15-047 (Agenda #4111) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
WILMINGTON CITY CODE TO PROVIDE FOR THE
ISSUANCE OF A PROVISIONAL BUSINESS
LICENSE

Mrs. Seijo: Third reading.

President Gregory: Did someone second?

Mrs. Seijo: No, go ahead.

Mr. Wright: No.

Mr. Freel: She's got to move it.

Ms. Cabrera: No, I thought you were going to read...

President Gregory: Hold up.

Mrs. Seijo: There's no substitute.

Ms. Cabrera: Mr. President, I move that be known as the Enacting Clause of the Ordinance and call for the Yea and Nay Vote.

Mr. Williams/Mr. Freel: 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. Cabrera: As we find ourselves searching for solutions to overcome the crime in our City, I believe that focusing on the nuisance properties is one where we can begin to take back control of our neighborhoods. I see this Ordinance as a Part 2 to our disorderly premises ordinances where we hold those behaving in disorderly behaviors accountable with monetary fines. This Ordinance places more accountable on the owners of the problem properties. We can't keep doing things the same way and expect a different result. The persons who insist on maintaining nuisance properties must be held accountable and there should be consequences. Councilman Freel who introduced the nuisance law is a co-sponsor of both of these ordinances as they serve to strengthen the existing nuisance laws. I would ask the co-sponsor, Councilman Freel to speak on how this amendment will change how we do business in Wilmington.

Mr. Freel: Um...

President Gregory: Just a minute, hold up Mr. Freel. She's not running the meeting.

Mr. Freel: Oh, I'm sorry.

President Gregory: Mr. Freel.

Mr. Freel: What we're trying to – trying to do here as you know, we deal with nuisance properties every day in the City and we have an informal Nuisance Property Working Group that meets monthly and discusses – discusses these properties. But one of the issues we come up with is we might – we might have a nuisance business or a nuisance house somewhere and while we're trying to decide what to do as this property gains points in our system, automatically in December their business license gets mailed out to them making them think everything is fine with the City. So, what we're doing here now is saying that we're going to be looking at these nuisance properties and the Nuisance Property Coordinator will establish those properties that have points, the property owner has been giving a notice and then they'll be reviewed by the Committee, by the Commissioner of L&I, and instead of business licenses just automatically be mailed out to them, they will get a letter asking them to come in and meet with the City whether it's L&I, the Law Department and the City would work with on an abatement plan and provide them with a provisional license as long as they meet the agreed upon criteria in abatement plan, they would then get their full license again. But it's just kind of another tool in the box to try to help us deal with these nuisance properties because, you know, if you're living next door to one of them or behind them and you deal with these issues day in and day out, it's just very difficult and it's difficult sometimes for the City to deal with them. So, it's just another tool to try to help us in dealing with nuisance properties here in Wilmington.

President Gregory: Thank you; Mr. Williams.

Mr. Williams: Thank you Mr. President. First of all, I'd love to be a co-sponsor.

President Gregory: So noted.

Mr. Williams: I'm – no more business as usual. That's the way we affect change. Sometimes we have to rattle the cage a little bit; you got to get their attention. And, by not issuing them a business license, we'll get their attention and calling in as Councilman Freel said, it's sitting down and having that face to face rather than us just mailing the letter out, business as usual, keep doing what you're doing, you're crushing our City but we're just going to let you continue to operate under that premise. We can't do that anymore and I commend Councilwoman Cabrera for bringing this to the floor.

Ms. Cabrera: Thank you.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. I'd like to be added as co-sponsor.

President Gregory: So noted. Ms. Dorsey Walker.

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

President Gregory: So noted. The Clerk will call the roll.

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

President Gregory: Declare it adopted. Mr. Wright.

Mr. Wright: No legislation tonight Mr. President.

PETITIONS AND COMMUNICATIONS

Upon a motion of Councilman Chukwuocha, seconded by Councilman Williams and Councilwoman Shabazz, Agenda No. 4068 (Safe Haven Grant Resolution) to be added to the December 3rd Council agenda for action. Motion prevailed.

Ms. Shabazz presented the following communication (email) to be read into the record:

From: linda cannon-madric
Sent: Monday, November 09, 2015 11:14 AM
To: Hanifa G. N. Shabazz
Subject: Apology

It has come to my attention that I owe you an apology. If need be you may read this in council, I have not problem with it. But I do humbly apologize for the comment I made when I attended council meeting to speak. My mother thought it was very rude of me and I in no way should have displayed such mannerism towards you at any time. At first, I didn't feel that it was such a big deal, but after a long discussion with my mother I felt a written apology was necessary. As I for-mentioned, I do apologize with all sincerity, and promise that I will never again act in such a manner. Pray that you accept my apology and forgive me.

Child of Elyon El
Linda Cannon-Madric

Upon a motion of Ms. Shabazz, seconded by Mr. Michael Brown, the aforementioned communication was read into the record. Motion prevailed.

Ms. Shabazz stated that she wanted to have the aforementioned communication read into the letter as she wanted to acknowledge that it really took a lot of courage and respect. She added that she really do respect Ms. Cannon for writing the letter and offering an apology and she stated that she wanted to publicly state that she appreciates Ms. Cannon's apology and that if we practice those types of things that when we know that we're wrong and when someone is wronged that we correct our wrong that she believes a lot of our issues among us would be resolved.

Council Members spoke on the following matters: Kool Kids Daycare on Concord Avenue and Washington Streets were thanked for making thanksgiving baskets that would be given to some homeless and some seniors in Wilmington; reducing the size of seats for Wilmington City Council; Happy Thanksgiving wishes were expressed by members of Council; residents were reminded of being awarded an Environmental Workforce Development Training Grant and the third class is being completed, therefore, those who may be interested in the Program should call West End Neighborhood House at (302) 658-4171; Delaware Innovation Week; Zip Code Solution; Our Youth Inc. Turkey Give-away; a request was made to Public Works & Transportation Committee to have City enforce jay walking law; food truck legislation; meals for Public Safety workers; the need to "Stop" racism; Delmarva Power's attendance was requested at the next Public Works & Transportation Committee meeting; sympathies were expressed for the passing of Mr. Charles Cawley; holiday trash schedule and holiday parking was announced; a lack of response by the Wilmington Police Department as well as a number of concerns in the community; Council Members were asked to read the union stat sheet on cost of living adjustment (COLA); and including but not limited to a moment of silence was done for Mr. Charles Cawley.

ADJOURNMENT

Upon a motion of Mr. Williams, seconded by Ms. Shabazz, Council adjourned at 8:25 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk