

*Wilmington, Delaware
Louis L. Redding
City/County Building
October 15, 2015*

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 Congo, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera, Walsh and Wright, and Council President Gregory. Total, eleven. Absent, Council Members Chukwuocha and Darius Brown. Total, two.

MINUTES

After reading a portion of the minutes of October 1, 2015, upon a motion of Ms. Walsh, seconded by Mr. Williams/Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read 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		

October 5, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 15-003** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES OF 2015, IN ONE OR MORE SERIES ON A TAX-EXEMPT AND/OR TAXABLE BASIS, IN ORDER TO PROVIDE THE FUNDS TO FINANCE VARIOUS CAPITAL PROJECTS OF THE CITY SPECIFIED IN THE CITY'S CAPITAL BUDGET FOR ITS FISCAL YEAR ENDING JUNE 30, 2014, TO REFUND OR FUND CERTAIN GENERAL OBLIGATION BOND ANTICIPATION NOTES AND TO REFUND ANY OTHER OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

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

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

Note: *Although Councilman Michael Brown was present at the committee meeting, his signature is not reflected on the Report.*

The City Clerk read 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	

September 8, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 15-037** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT WITH PAYMENTUS CORPORATION FOR ELECTRONIC BILL PAYMENT SERVICES

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

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

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

Note: Substitute No. 1 to Ordinance No. 15-037 was also discussed on October 5th.

The City Clerk read 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

October 5, 2015

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-041** entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16029HRPS –
CITY PHYSICIAN SERVICES – WITH OLUSEYI SENU-OKE, M.D.

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

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

The City Clerk read 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

October 5, 2015

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-043**
 entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE WILMINGTON
 CITY CODE RELATING TO THE HEAD TAX EXEMPTION
 PROGRAM

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

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

The City Clerk read 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

October 5, 2015

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-044** entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 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 FOR NON-UNION EMPLOYEES)

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

Respectfully submitted, Members of
Finance Committee
/s/Charles M. Freel, Chair
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Note: Although Councilman Michael Brown was present at the committee meeting, his signature is not reflected on the Report.

The City Clerk read the following committee report:

<u>Community and Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh	X		
Darius J. Brown		X	
Maria D. Cabrera			X
Ernest "Trippi" Congo, II		X	
Sherry Dorsey Walker		X	
Justen A. Wright			X

October 8, 2015

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 5:00 p.m., Councilwoman Loretta Walsh presiding. The following item was discussed:

- An overview of the Delaware Chamber of Commerce

Respectfully submitted, Members of
Community and Economic Development Committee
/s/Loretta Walsh, Chair

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

Note: The aforementioned item does not require to be voted out of committee.

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Michael A. Brown, Sr.		X	
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel		X	
Loretta Walsh		X	
Robert A. Williams	X		

President and Members of Council of
The City of Wilmington

October 12, 2015

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 5:00 p.m., Councilman Ernest "Trippi" Congo presiding. The following items were discussed:

- Discuss a Resolution for the Wilmington Police Department to obtain grant funding from FY2015 Edward Byrne Memorial Justice Assistance Program
- Discuss a Resolution approving the Wilmington Police Department's acceptance of grant funding from the U.S. Department of Homeland Security's Port Security program
- Discuss new Fire Deployment

Respectfully submitted, Members of
Public Safety Committee
/s/Ernest Congo, II
/s/Robert A. Williams
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Note: The aforementioned items does not require to be voted out of committee. Also, the Report was corrected herein to reflect Councilman Congo as presiding over the Oct. 12th Public Safety Committee meeting.

TREASURER'S REPORT

The following Treasurer's Report dated October 15, 2015 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.

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TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON October 15, 2015

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 3,396.81
105	Police Pension Account	M & T Bank	\$ 3,040.23
106	Fire Pension Account	M & T Bank	\$ 5,773.50
107	Evidence/Found Currency Account	M & T Bank	\$ 475,390.02
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.00
113	Non-Uniform Pension	M & T Bank	\$ 1,431.94
114	Central Deposit	M & T Bank	\$ 388,795.70
117	Cement Workers	Wilmington Savings Fund	\$ 33,455.45
118	Worker's Comp. 3 rd Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 4,252.07
130	Payroll	M & T Bank	\$ 235,698.41
131	Pension Payroll Account	M & T Bank	\$ 39,483.83
139	Pension Healthcare Account	M & T Bank	\$ <u>2,298.00</u>
	Total Cash on Hand		\$ 1,210,159.16

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FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	10/15/15	0.01%	\$ 1.13	\$ 4,121,772.00
116	General	TD	CD	10/16/15	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	WSFS	CD	10/27/15	0.30%	\$ 431.50	\$ 1,500,000.00
124	Non-Uniform 1990	WSFS	CD	10/29/15	0.30%	\$ 437.67	\$ 1,775,000.00
106	Fire Pension	WSFS	CD	10/29/15	0.30%	\$ 288.49	\$ 1,170,000.00
105	Police Pension	WSFS	CD	10/29/15	0.30%	\$ 117.12	\$ 475,000.00
116	General	WSFS	CD	10/30/15	0.30%	\$ 2,071.23	\$ 3,500,000.00
116	General	TD	CD	10/30/15	0.25%	\$ 431.51	\$ 1,000,000.00
116	General	TD	CD	10/30/15	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	TD	CD	11/02/15	0.25%	\$ 719.18	\$ 1,500,000.00
116	General	TD	CD	11/13/15	0.25%	\$ 986.31	\$ 2,000,000.00
116	General	TD	CD	11/24/15	0.25%	\$ 688.36	\$ 1,500,000.00
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	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
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
104	Escrow Pension	Affinity Wealth					\$ 1,409,313.00
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					\$ 38,616,756.00
	Total Investments						\$ 338,110,973.10
	Total Cash on Hand						\$ 1,210,159.16
	Grand Total						\$ 339,321,132.26

¹ Budget Reserve ² SEU

/s/Henry W. Supinski, City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Sonya Bonita Byers-Holley
All Council	Recognize former Mayor George Wright
Cabrera/Council	Welcome Town Hall Participants For Safer Chemicals and Safer Processes
Gregory	Recognize Pastor Kurtis Davis
Gregory	Diamond State Base Ball Club 150 th Anniversary
Gregory	Congratulations Kester I.H. Crosse 70 th Birthday
Gregory	Congratulate Fred Sears
Gregory/Wright	Congratulations Reverend Dr. Edward Cross 44 th Anniversary
Shabazz	Sympathy Maryetta J. Egerson
Williams	Recognize Lolita Lopez Westside Health 25 th Anniversary
Wright	Sympathy Ruth L. Henry Hamm
Wright	Congratulate Christi Honorees

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Ms. Shabazz: Mr. President, in Mr. Chukwuocha's absence, Council Member Chukwuocha's absence, I am asked to - - his Resolution #4068 be held.

President Gregory: Thank you; Mr. Congo.

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

President Gregory: Thank you. Ms. Shabazz.

Ms. Shabazz: Nothing tonight; thank you.

President Gregory: Mr. Prado.

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: No legislative business tonight Mr. President.

President Gregory: Mr. Williams.

Mr. Williams: No legislation this evening; thank you sir.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, I have five (5) Ordinances for third and final.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-003 (Agenda #4021) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES OF 2015, IN ONE OR MORE SERIES ON A TAX-EXEMPT AND/OR TAXABLE BASIS, IN ORDER TO PROVIDE THE FUNDS TO FINANCE VARIOUS CAPITAL PROJECTS OF THE CITY SPECIFIED IN THE CITY'S CAPITAL BUDGET FOR ITS FISCAL YEAR ENDING ON JUNE 30, 2014, TO REFUND OR FUND CERTAIN GENERAL OBLIGATION BOND ANTICIPATION NOTES AND TO REFUND ANY OTHER OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES OF 2015, IN ONE OR MORE SERIES ON A TAX-EXEMPT AND/OR TAXABLE BASIS, IN ORDER TO PROVIDE THE FUNDS TO FINANCE VARIOUS CAPITAL PROJECTS OF THE CITY SPECIFIED IN THE CITY'S CAPITAL BUDGET FOR ITS FISCAL YEAR ENDING ON JUNE 30, 2014, TO REFUND OR FUND CERTAIN GENERAL OBLIGATION BOND ANTICIPATION NOTES AND TO REFUND ANY OTHER OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

On the question:

Mr. Freel: Yes Mr. President, this will allow our City Treasurer to move forward with the issuance and sell of General Obligation Bonds and it's for our Capital Program. We have not issued new monies since I believe November of 2011. Just so Council Members know, I know they've seen a list of projects and things like this, though it's issued up to \$50 million, the breakdown is the General Fund would be about twenty-two million dollars in projects and the Water/Sewer Fund is about twenty-four million four for a total of about forty-five million seven hundred thousand dollars in bond issuance.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-037 (Agenda #4094) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT WITH
PAYMENTUS CORPORATION FOR ELECTRONIC BILL
PAYMENT SERVICES

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

AN ORDINANCE TO AUTHORIZE CONTRACT WITH
PAYMENTUS CORPORATION FOR ELECTRONIC BILL
PAYMENT SERVICES

On the question:

Mr. Freel: Mr. President, I would like to offer an amendment to this Ordinance. If Council Members would turn to Page 2 Section 1, about three lines down after it states success of three-year periods coma, I would like to add the phrase, *which renewal shall be subject to City Council approval*.

President Gregory: Can I get a second?

Ms. Shabazz/Mr. Williams: Second.

President Gregory: It's been properly moved and seconded that the Ordinance be amended accordingly. On the question, all those in favor so note by saying Aye, Oppose, Abstention. Motion is adopted. Mr. Freel.

Mr. Freel: And, and I did that because there was some questions at the committee meeting about the length of the contract with the five (5) and the two (2) additional three (3) year periods. I believe that this Ordinance and this contract kind of brings us into 2015 in an area where I think we've been lagging behind and that is to give our customers, our water customers, the billing to pay in a number of different ways and

it talks about some of them right on the first page, whether they pay online, by telephone, mobile device. There will also be now a kiosk on the first floor where they can pay right on the kiosk. There are some fees involved. Some of the fees will be covered by the City; other fees will be charged to the customer. I think long term when we look at the fact that we will be going to monthly billing for water in about a year from now, I think this will be a service that is well used and our customers will be able to go online and actually look at their account and look at the history of their usage and things like that. So, I think this is a good step forward. It will save us money that we have been paying over the last year in credit card fees and things like that. So, I hope Council Members, I know a number of them were at the meeting, what we actually re-discussed at two committee meetings but I hope Council Members has had a chance to review it.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. Yes, I was at those meetings and we went through this in great detail and I want to thank the Finance Department for first coming up with this and answering all of the intricate questions that we had. It is something that I know that our constituents were concerns with an easier way to be able to pay their monthly bills online with everything going automation. We did question the length of time and I'm glad that we did make the substitution for it coming back to Council as it continues because we were concern modern technology advancing and just advancing on with it. It's a great savings to the City and I definitely will support this tonight Mr. President.

President Gregory: The Clerk will call the roll please.

Upon a motion of Mr. Freel, seconded by Mr. Williams/Ms. Walsh, the aforementioned **Substitute Ordinance, As Amended**, was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Congo, Shabazz, Prado, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, Council Member Walsh. Total, one. Absent, Council Members Chukwuocha and Darius Brown. Total, two.

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-041 (Agenda #4102) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16029HRPS –
CITY PHYSICIAN SERVICES – WITH OLUSEYI SENU-OKE, M.D.

On the question:

Mr. Freel: Yes Mr. President, we are entering into another contract with Mr. Senu-Oke for his services as a city physician. He has been performing this service I

think for almost twenty years. It's a one-year contract with three one-year renewals. The cost this year will be going up to \$125,000 and then it will stay at that rate for the next, if we do renew it, in the three succeeding years, it will stay at that rate. Some of the things that Mr. Senu-Oke does for the City is he does pre-placement examinations for police and fire; fitness for duty examination; and positions for police, fire; CDL driver's annual examination; MRO's for drug testing; and he manages the workers comp, Return to Work Program. That's just some of the things that he does as our city physician.

President Gregory: The Clerk will call - - Ms. Cabrera.

Ms. Cabrera: Yes, I saw that there was some questions that staff was asking about the proposal. There was one that was originally \$159,600 and then it was lowered to \$125,000 but then there was another contract with the proposed \$90,000. I don't see where that question was answered. Why this one was chosen over the contract that was bidding at \$90,000.

Mr. Freel: Basically, the - - to be honest with you I cannot remember all the members that were on the committee but there was a committee put together of HR and probably Finance and others who reviewed the two proposals. They just felt strongly that Mr. Senu-Oke was familiar with city government, especially the City of Wilmington government, and would perform and provide better services than the other submittal. This is a professional service contract so you do not have to take the lowest bidder. But, they did negotiate with him and they came and they settled on the fee of \$125,000.

President Gregory: Okay.

Ms. Cabrera: Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: Thank you Mr. President. I know \$125,000 in the big picture is just a drop in the bucket but I, you know, baby steps have to start somewhere and, especially with reducing the funds for our City, I still fall back on with all the walking clinics we have these days, I do agree with Ms. Frost that this position is somewhat redundant in this day and age. And, so, this is my baby step.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-043 (Agenda #4105) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE WILMINGTON CITY CODE RELATING TO THE HEAD TAX EXEMPTION PROGRAM

On the question:

Mr. Freel: Yes Mr. President, this will extend the Head Tax Abatement Program for another five (5) years. This is a program that is used by our Office of Economic Development really to attract businesses on occasion here to Wilmington. It's set-up so that either as a new business or as an existing business, if you bring fifty (50) new employees and placed them on payroll here in Wilmington, then you can qualify for the Head Tax Abatement Program. I will tell you that no matter any business is an exempt for the first five (5) employees anyway as the law exist today. Since about 2003 there have been thirteen (13) companies that took advantage of this program and their time has expired but there is four that are in the program today as we sit here.

President Gregory: Mr. Brown.

Mr. Michael Brown: Yes Mr. President, I remember at this meeting that we had when we talked about this subject I asked the Director of Economic Development to give me - - to say how many folks have taken advantage of this particular tax law and he said approximately eight (8) off the top of his head. And, I also asked him to get it to us the name of the companies and how many there were in the company that took advantage of this. And I - - somebody said it's out there, somebody said that they sent it to us, sent it to where I can see it on the email, but I can honestly say, I did not see it. So, I ask that question and the Director of Personnel was sitting next to him and I believe she chimed in and said we'll get all that information to you. So, if somebody has got that information, I would like to know how many others companies took advantage of that? Instead - - before I vote, of course, my vote is only vote, but I still - I asked the question and I didn't remember seeing the answer. I'd like to get an answer.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, I think Council members were provided a packet of information that answered questions to a number of the ordinances tonight. Maybe its confusion but the first page is - starts up with A. Paymentus. If you go to the very last page, it will show a list of current exemptions and like I said there's four (4) of those right now and then it shows the list of expired exemptions and there's about thirteen (13) that start off in like June 30, 2003. And, I think the last one expired on January 1, 2014. So, that's the list of number of companies prior and today.

Mr. Michael Brown: Mr. President, thank you very much. Thank you Mr. Freel and thank you whoever gave this to me at the last minute; I thought we were going to stop giving stuff on the floor at the last minutes. But I'm okay with it; thank you very much. I'm just getting geared up for the next ordinance. That's all; don't mind me.

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

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 15-044 (Rev. 1, Agenda #4106) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 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 FOR NON-UNION EMPLOYEES)

On the question:

Mr. Freel: Mr. President, this Ordinance provides a COLA, a cost of living adjustment and a one-time payment for non-union employees. I want to say the number of non-union in the area of around two-hundred and fifty (250) employees. To qualify for the one-time payment of \$4,000, I believe you have to be hired before July 1, 2013. If you're hired after that between that date and July of 2014, you receive a \$2,000 one-time payment and the COLA is a two percent (2%) increase for non-union employees. I'm going to reserve my other comments to the end please.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. After reviewing this piece of legislation and sitting down and having extensive conversations with two (2) people I consider to be fiscally responsible and rather conservative and those two (2) people are Director Charlotte Barnes and Director Sheila Winfrey-Brown, I shall be in support of this Ordinance on tonight. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: Thank you Mr. President. I guess this is baby step number two. So about two-hundred and fifty (250) people are affected by this; probably a good half of them have not even had their job for four (4) years yet; who came in at the top salary of the people who held the job before them, got as their parting salaries. So, not holding a little bit of weight with the story that they haven't gotten raises in a certain amount of years for at least probably close to half of them; this is such a wrong message to be sending out right now that we have so many things that are very messed up in our City right now, much of it we can't control, I do understand that because of what is going on in our streets right now, but a lot of even that if we did have a different police type of program, I do believe it would be controlled differently. We are in the middle of contract negotiations, to send a message out to anybody who is part of the bargaining unit in the City that we have bonuses to give away right now - - I feel like I'm sitting in lah-lah land here between this and another one coming up later for some more toys, when we're having people on our streets every single day being shot but we need more toys, I just cannot in good face support anything like this at this moment. You come back to me a year from now when there's another new budget and hopefully our streets has calm down and we're getting our parks fixed up and some of the major trash and street issues are being solved, I'll support it and I'll lead the fight for it. But, right now, I don't think the timing could be worse. So, I am not supporting this evening. Thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. But we did go through numerous meetings and presentations and explanations as to feasibility of this and as long as I've been on Council, we have been trying - - well not long on the Council but the past seven (7) years it has been a continuous effort of this Council and the Administrations to provide a raise for our employees and we have to remember that our employees when the water taxes go up and the property taxes go up that our employees also have to pay those increases. And, this particular portion of employees, you know, the work that we all - that they provide, they, they - this money that would go to them, it will go back out into the economy. It will do a tail spin because they would go out and they will spend it into our economy. So, we're putting money back into the economy, which goes back into businesses, who ends up bringing money back into us. So, it is a - it's a cycle of monies. It was a hard - a very hard decision because we are having such difficulties in the City right now but I think our employees are working very hard for the City. They can do better; yes, they can. And, but they do have families as well and in order to keep things moving - - and I've been able to feel comfortable in the fiscally responsibility of the explanations that were given of how we can take - how we can pay for this. It is a very hard decision and I will give my position at the time of voting.

President Gregory: Mr. Brown.

Mr. Michael Brown: Thank you Mr. President. Mr. President, this is so - this is very important to me to say what I got to say and I had to put it on paper. Normally I would shot from the hip and just say it - - just say it, but bear with me because

I got five (5) minutes per the Rule and then I can come back after everybody has spoken. While I understand the facts that our City workforce has not received a COLA increases for quite some time, I feel it's very fiduciary responsibility to ensure that our employees awarded in a fair responsible manner. Given what I know to the actual cash in the Unassigned Fund balance, I'm extremely concerned that we are literally depleting our current Reserve. The amendment before us this evening will cover the cost of the increase to our Budget Surplus and Unassigned Fund balance, but is it - - is it going - going to cost the COLA increase that troubles me the most. I have not been aware of any new stream of revenue that would improve our fiscal outlook, actually, quite the contrary, with a possible decrease in wage tax from one of our largest employers. We know the expenditures will come - will continue to escalate, particularly as it relates to our healthcare costs. These are the basic factors that have convinced me to oppose the amendment before us tonight.

Things we are as a City will be facing: DuPont Company leaving the City - lost revenue; lawsuits, already three (3) paid and more to come (the three that was paid was close to - over hundreds and hundreds of dollars), and there's about five (5) more out there; not sure about the new chemical company Chemours, what is it called? Chemours, they're not - we're not sure about them staying and about that revenue. We were - it was mandated by just the other day that the Police Department are getting a three percent (3%) COLA increase, which comes to about a million dollars and that's going to be in the Budget for now on - that million dollars. The non-union, which is proposed tonight of two-hundred fifty (250) of them, is about four-hundred and eighty thousand dollars. We only had about \$2.1 million in surplus. Add up what I just gave you and that's pretty much that. And, they say we have \$21 million in Unreserved Funds but only \$6 million is money. Mr. President and my colleagues, all of the unions still have not come to an agreement - 1102A and B, Local 320, the Firefighters and the Police. This is still an un - this is still unknowing as far as the cost of what it's going to cost them when they settle. Other lawsuits pending, what will happen? How much is that going to cost us? We don't know about the winter - the winter months, even though there's money set aside for the winter months, but we've always - the City has always going - on bad winter months, beyond that what they are budgeted for. And, there's other items and so, I, tonight, honestly, I can't - knowing all of this, knowing all of this, I can't vote for it tonight.

Even though, even though Mr. President, even though as I've said, while I have decided not to seek another term, with this Council, I will continue to be a resident in the City of Wilmington who will look to this body to make informed decisions, the (inaudible) of this great City. This matter rest on your hands as a Council and I will surely not be silenced on the consequences we may suffer as a result of our vote here tonight. You will see and hear from me again when I leave here as a Councilperson. But, I want to say that if I was still running, if I was running for re-election, if I was running for re-election, I would be very careful because here we are even though - and I got a lot of friends in the city government, a lot of, a lot of associates and I have talked to plenty of them and I have told them that it's not fair that it appears that we're being put - it looks like we're put in the middle to vote for something so that the Union membership could turn on the Union leadership and say, they got their money, we want ours and it

becomes a big, big disagreement between the Unions and their members and we be in the middle of it. I think that this Administration knew, that they said they knew, when they first came in, when they took office and they said that they were going to try to fix it the first year, what that – that didn't happen. And, I don't know why because all of you know they don't talk to us. And, so, I'm just saying that I have talked to constituents out in the streets and these folks are not going to forget. Those who are in office who proclaim that you want to stay here for another four (4) years, it may come back to haunt you. Those who are moving up abounds, it may come back to haunt you. But me, I'm leaving and I'm satisfied to say the people who I spoke to in the City that are non-union, while they want their COLA because they haven't had one in seven (7) years, while they want the \$4,000, they understand – that is all for one and one for all at the end of the day because when the union settle, nine times out of ten, they're going to get what the unions get anyway. For now Mr. President, I'll wait until I get another five (5) minutes after everyone has spoken. Thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Thank you Mr. President. I think that my colleagues expressed some very real concerns and very real issues in our City and the sentiment in the community. I've sat on this Council, I had to make some difficult votes in the last three (3) years and they weren't the popular vote but it was the right thing to do, to be fiscally responsible. You know someone who is a single head of household, single mom, I know how trying it has been for me personally to try to survive throughout the years and I just want to share some data with you in terms of the cost of living and this is from 2008 to 2013. Car insurance has gone up 67%, that's the biggest rise; gas has going up 52% and electric 32%; oil has gone up 33%; food cost are 17% and the average shopping bill for a family is from \$220 to \$256 – that's a family of four (4); the rent is up 24% and water is up 14%. The essential bills for food, heat, light and transport and insurance has risen 25% in the five (5) years, again, from 2008 to 2013. This is four (4) times higher than the salaries – the (inaudible) risen salaries. Not just for our employees but just across the board – this is a national average.

This country has been getting poorer since the financial crisis in 2008 and I'm willing to take the political hit because one, I know these employees, they work hard, they've watched other things happen, people get raises, they're the – they're the core of what makes this City run and although our residents may not be happy about the City and how things are, blame the leadership but don't blame those people that get up every day to do the job. Because our streets get clean, our trash gets picked up, yeah, I'll complain that sometimes there's more trash on the ground but it's still getting done. We're still a much cleaner City than most cities on the East Coast. You know, our – I know that the Unions, you know, they're out there negotiating and it has been said that normally that the raises for the non-union employees happen after the unions receive their, you know, their packages and they sign their contracts but historically that hasn't always been true.

So, I do my own little research as well. But, I'm going to vote from the heart this time and I, yeah, you're right Councilman Brown, it might come back to bite me but I'm willing to take that bite because I think that our employees deserve it, I

believe that our residents deserve to continue to have the quality of service that they get and I believe that we do need to do a better job across the board. But I'm not going to sit here and hold these people hostage over monies that they deserve to get when they have not received a raise in over eight (8) years and not even a half percent of cost of living. Thank you.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Sir, I'm not one to kick the can down the road it's time to face reality. There healthcare cost is going to go up and it's going to eat just about every penny that they're going to get in this. I'd like to be a co-sponsor.

President Gregory: So noted. Mr. Wright. Ms. Walsh.

Ms. Walsh: Thank you Mr. President.

President Gregory: Before I do that, are there any other first-time speakers other than myself? Okay, Ms. Walsh.

Ms. Walsh: When I was speaking before because quite frankly I didn't think this – we were actually going to come to vote on this tonight, so I wasn't prepared and thank you Mr. Brown for centering me once again because my comments before were a bit disjointed. This is not a COLA increase for our work-a-bees, these are for the most part appointed positions and this isn't the grass cutter and the chucker for the garbage trucks, this is not real – and I don't want to say the real work-a-bees because that would be taking away from people that have to sit before a computer all day long and just keep banging numbers into their computer or answering customer service calls all day long, this - and Mr. Brown, I think the Administration has succeeded a little bit because our perception on this floor right now of who this money would actually go to, has a deep divide going right down the middle. The reason I am not voting for this this evening, is because if it had been for the work-a-bees, I probably would be voting yes. But this is not for them.

This is, I do believe, what Mr. Brown said, this is putting the onness on this Council that here we are sitting in October when this could have been done during the Budget, you know, like the (inaudible), like a whole lot of other things that could be done during the Budget, but no, let's throw it in the middle of the mix when we think it's going to be easy pickings for us. So, I guess we're going to have this between now and next September, so, we'll just have to live with it. But this one tonight, I'm voting no and that's because this is for the cream of the crop; this is for people – not every single position, I fully understand that, but this is for many people that are not getting on the buses every day to get into work; are not worried about having to pick kids up from daycare and being there on time or getting charged a late fee. This is people that get free parking – many times free take it home cars and all sorts of other things. They are at above mid to a high salary as city workers. So, that is my reason for voting no on this tonight. Thank you.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President. I agree with some of the sentiments of both of my colleagues, Councilman Brown, Loretta Walsh, Council Member Walsh as well as Cabrera and I do agree that the time – that was one of things even in my deliberation is the timing of it – that is could have been done at a different time. And, I have a question and if I could get clarification and probably our citizens watching, could someone clarify exactly who those two-hundred and fifty (250) positions are?

President Gregory: I could tell you they're not all appointed people. They are work-a-bees, they are non-union folks. I could tell you that but I'm not going to have the Administration come up and just tell you the whole 250 but I think it's misleading to say that they're all non-work-a-bees and that they're in fact appointed people. That's just not accurate. It's hard for me to debate inaccuracy and I don't intend to. But, I don't know if that gives you an answer or not.

Ms. Shabazz: Well, I just wanted clarity. I knew it couldn't have been all half all appointees...

President Gregory: No.

Ms. Shabazz: ...and I knew that – everyone is a work-a-bee. I guess if you're talking about supervisors or ...

President Gregory: Even if you're sitting at your computer, if you're indoors, if you're outdoors, you're still a work-a-bee...

Ms. Shabazz: ...but you still experience the cost of living - - living in the City.

President Gregory: I'm just not going to debate inaccuracy. I'm going to debate what I think is accurate. Ms. Cabrera.

Ms. Cabrera: I guess my question is that I thought that we were going to get a clearer picture on the financial forecast in terms of the – of the projected surplus if we were on track with that? Okay, so we have that. And, wasn't there going to be a meeting with the WEFAC before this came to vote before us?

President Gregory: October 23rd.

Ms. Cabrera: Are we voting on this this evening?

President Gregory: We have – yes. We have two (2) people absent tonight and the first meeting in November, we have three (3) people absent. So, that would put us then to the second meeting in November.

Ms. Cabrera: I guess I was under the same impression as Council Member Walsh that (inaudible)....

President Gregory: Well, that's what happened.

Ms. Cabrera: ...this evening.

Ms. Shabazz: Right.

President Gregory: We will now be kicked to the second meeting in November.

Ms. Walsh: So what.

President Gregory: Mr. Brown.

Ms. Walsh: So what.

Mr. Michael Brown: Thank you Mr. Chairman, I mean Mr. President. Again, I want to go back and not beat the brush, I got real close associates that is in the mix of these numbers and again, they understand. I want all 1100 plus employees to know, that I want you to get what is yours; I want them to be able to do the right thing at the negotiation table. I tossed and turned with this and I'm not going to go in the middle of what transpired and kept me up all night – all throughout the night and (inaudible) through the day but I had to come and speak this because it's about everybody not just about the 250 – I salute them, I appreciate what they do. They know it. There's not one of them if any of them ever called on me for something that I have not tried to go out my way to make sure that it got addressed. So, this is not about 250 employees, it's about all the employees. Again, the 3% that the police got in COLA, that's going in the Budget for now on. That's a million dollars that we're going to add into the Budget. This four-hundred and eighty something thousand I believe it is of the 2% COLA, that's going into the Budget from now on but we got some unforeseen stuff down the road and like Council Member Walsh said, if we had put this in the Budget during budget time, than we wouldn't be having this kind of, I don't believe, this – this big of, of, of a debate right now about whether we should do it or shouldn't do it. Heck, I want everybody to be able to buy a loaf of bread and pay for their gas and pay their bills and do everything that they can with their families. But unless it's 1100 plus city employees that's going to do it, than darn gone it, we shouldn't do it.

Ms. Walsh: Exactly.

Mr. Michael Brown: It shouldn't be done. I'm leaving here in a year but I'm going to remind you that the next person coming in, taxes are going to go up. We already know that but it may go up in double digits. It could possibly go up, I'm not here to scare you – I'm just giving you some facts the way I feel. The way Mike Brown feels. Because if we're not sure, if we're not focused on the right things, than we're going to fall down and be – and look up and all this is going to be covering us with more embarrassment than its already has. And, this Administration would have had our support, I really believe it would have had our support, if they had of came out in the beginning of his administration and said this is what he wanted to do. But again, it doesn't smell right...

President Gregory: Ms. a....

Mr. Michael Brown: ...and therefore, in closing Mr. President, thank you. And therefore, that's why I'm saying no tonight.

President Gregory: Ms. Sherry Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President. I was able to get verification on who will be getting these raises and it looks like it's mostly secretary, staff support, not a whole lot of executives and additionally, the Unions have offers, they just haven't accepted them. And, these people who – the 250 that we're referencing, they don't have an option. There aren't any offers other than this 2% to them and so, with that in mind Mr. President – it's a – my – and when we're talking about politics and how we're going and whatever else have you, that doesn't matter to me. What matters is I'm in this seat right now and there are people in need and I'm voting in favor of them tonight.

President Gregory: Thank you. Mr. Freel.

Mr. Freel: Thank you Mr. President. My concern is on timing on...

Ms. Shabazz: Yes.

Mr. Freel: ...a couple different levels. When the idea of this Ordinance was first brought to Council and we met in the conference room, I told them that this was the first time that I have known of that the Ordinance for increases for non-union came before the Union contracts were settled. And, I just felt like after saying for many years that Council members should not get involved in union negotiations, I figured – I felt like in an indirect way, we were being pulled into the negotiations by – by trying to give the non-union members something first. The second thing on timing level that's really bothering me is the fact that we had the decision come down probably a little more than 48 hours ago. At least we learned about it a little more than 48 hours ago as Council members. And, I still don't understand all of the ramifications financially of that decision. When you include that with this Ordinance and what might be similar

agreements with the other unions or it be different agreements, we – we are not sitting, even though it makes reference to a very large undesignated surplus, we know that a lot of that is what I call counting dollars and only about \$6 million is really cash. I don't think there's anybody here tonight that wouldn't love to give everybody an increase. I really – really honestly believe that. And, I understand that they've gone without one for a number of years but, you know, the reality is there's a lot of people out there that lost jobs. There's a lot of people out there that are working jobs a lot lower level than they were at one time. And, the other reality is which we're not touching on at all, which I know we're going to be discussing more is the fact that the healthcare cost for the City has gone up every year and we as a City have covered those increases because the employees pay a flat contribution. I think that – I would like to think that employees think that is a real plus our healthcare package and the fact that we still have pensions here. We have been diligent in doing the right thing by their pensions. It is not our fault these people sitting here tonight that is unfunded but we'll be making the extra contributions on almost \$12 million a year to keep those pensions solvent and I think that's important.

As you know, and other members know, I've been concerned since the Budget passed about the revenue projections; about the \$2.1 surplus. You know, I really don't think we have that surplus until the end of the budget year. I did see the memo about the Budget Office viewing that our surplus is holding after one per – after one quarter. I hope they're right but I just don't feel confident in those numbers right as we sit here. So, for me it's just been really a timing of thing. I feel like we're rushing into this. I don't know why if it took us a couple more weeks or a month, why that would be the end of the world all of the sudden. We just gotten a lot of information and numbers have been changing – even in my discussions with some of the Administration folks, the numbers change a little bit as the discussion goes on. So, I would really like us to hold up on this so we can have some more discussions both about the impact one-time payment but the impact on our budget. Not just this year but next year and the following years. Are we prepared in a couple of months if we have to raise taxes or we have to cut positions because it might very well come to that so we can continue to meet our costs. Having said that I would like to go ahead and make a motion that we table this for this evening.

Ms. Shabazz: Second.

President Gregory: It's been properly moved and second. On the question; all those in favor so note by saying Aye, Oppose, Abstentions; Ayes have it.

After lengthy discussion, upon a motion of Mr. Freel, seconded by Ms. Shabazz, the aforementioned Ordinance was **TABLED**. Motion prevailed.

Mr. Freel: I believe that's all I have this evening Mr. President.

President Gregory: Mr. Michael Brown.

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

Mr. Michael Brown presented Resolution No. 15-051 (Agenda #4107) 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, through the Wilmington Police Department, has sought to obtain grant funding from the U.S. Department of Homeland Security’s Port Security Program in the amount of \$348,031.00; and

WHEREAS, the grant funds will be used to purchase five (5) special service vehicles (Chevrolet Tahoes) and a patrol boat; and

WHEREAS, the grant does not require a local match but does require a twenty-five percent (25%) “in-kind” match of \$87,008.00, which will be provided by the time and effort spent by members of the Bomb Squad and Marine Unit; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grant funds in the amount of \$348,031.00 from the U.S. Department of Homeland Security’s Port Security Program for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department is hereby authorized to accept grant funding from U.S. Department of Homeland Security’s Port Security Program in the amount of \$348,031.00.

BE IT FURTHER RESOLVED that the Chief of Police of the Wilmington Police Department, or his designee, shall be authorized to take all necessary actions to accept the grant funds and move forward with the purchase of the special service vehicles and the patrol boat.

On the question:

Mr. Michael Brown: Yes Mr. President, this Resolution if approved the Wilmington Police Department...the mic is not working...the Wilmington Police Department’s acceptance of this grant funding from the U.S. Department of Homeland Security’s Port Security Program in the amount of \$348,031. The grant does not require a local match but it does require in-kind match of \$87,008, which will be provided by the time and effort spent by the members of the Police Department and the Marine Units.

President Gregory: The Clerk will call the roll. You had something Ms. Walsh?

Ms. Walsh: I did very quickly; thank you Mr. President. Mr. Brown just when we were starting to get along and now you bring me a boat, for Council members who don’t get the boat, I’m going to drop (inaudible) this floor...

Mr. Wright: Point of order.

Ms. Walsh: ... (inaudible) it's mentioned....

Mr. Wright: Point of order. You called for the roll; you got to call for the vote Mr. President.

President Gregory: Ms. Walsh go ahead.

Ms. Walsh: ...with everything that's going on in our streets, the fact that this is a grant for a boat when Homeland Security – somebody today suggested that a great portion of what they've done in the last ten (10) years has been a waste of time and I somewhat agree with it, and I can't support this. That's it.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams/Ms. Shabazz, 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, Shabazz, Prado, Dorsey Walker, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, nine. Nays, Council Members Freel and Walsh. Total, two. Absent, Council Members Chukwuocha and Darius Brown. Total, two.

President Gregory: Declare it adopted.

Mr. Michael Brown: I have another Resolution Mr. President.

Mr. Michael Brown presented Resolution No. 15-052 (Agenda #4108) 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, through the Wilmington Police Department, has sought to obtain grant funding from the Fiscal Year 2015 Edward Byrne Memorial Justice Assistance (JAG) Program, administered by the U.S. Department of Justice, in the amount of \$201,311.00; and

WHEREAS, the proposed grant funds will be utilized to subsidize overtime for an anti-violence initiative, and the salary for a civilian cold case investigator; and

WHEREAS, the Byrne JAG Program does not require a local or "in kind" match; and **WHEREAS**, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the grant funds from the Byrne JAG Program in the amount of \$201,311.00, for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department is hereby authorized to accept grant funding from the Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant Program, administered by the U.S. Department of Justice, in the amount of \$201,311.00.

BE IT FURTHER RESOLVED that the Chief of Police of the Wilmington Police Department, or his designee, shall be authorized to take all necessary actions to accept and administer the grant funds.

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. Michael Brown: Yes Mr. President, if this Resolution is approved, the Wilmington Police Department will accept grant funding from the Fiscal Year 2015 Edward Bryne Memorial Justice Assistance Grant Program administered by the United States Department of Justice in the amount of \$201,311. This grant does not require a local or in-kind match.

President Gregory: The Clerk will call the roll.

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

President Gregory: Declare it adopted. Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation; thanks.

President Gregory: Mr. Wright.

Mr. Wright: Motion to adjourn.

President Gregory: Mr. Congo you have a letter.

Mr. Congo: Yes Mr. President, thank you. I have a letter to be read to have read by the City Clerk and recorded into our records.

PETITIONS AND COMMUNICATIONS

Mr. Congo requested The Clerk to read the following communication into the record:

October 6, 2015

The Honorable Ernest "Trippi" Congo, II
Louis L. Redding
City/County Building
800 N. French Street, 9th floor
Wilmington, DE 19801

Dear Councilman Congo:

By way of this letter, you are hereby advised that Ministry of Caring Inc. has submitted an application to rezone the property located at 2019 N. Market Street and 2020 N. Tatnall Street, a copy of which is enclosed. The application is submitted to the City Clerk, which in turn is referred to the Council member representing the affected district, for submission to City Council.

Should you have any questions, please feel free to contact me. Thank you for your time and attention to this matter.

Sincerely,
/s/Maribel Seijo
City Clerk

Enclosure

Cc: The Honorable Theopolis K. Gregory, Sr., President of city Council (w/encl.)
The Honorable Loretta Walsh, President Pro Tempore, At-Large (w/o encl.)
The Honorable Maria D. Cabrera, At-Large (w/o encl.)
Mr. Cleon L. Cauley, Mayor's Chief of Staff (w/o encl.)
Mr. Romain L. Alexander, Council's Chief of Staff (w/o encl.)
Mr. Leonard Sophrin, Director of Planning and Urban Policy (w/encl.)
Mr. Michael P. Migliore, City Solicitor (w/encl.)
Ms. Sara Toner, Richards, Layton & Finger, P.A. (w/o encl.)
Ms. Tanya L. Washington, Council Legislative Director (w/o encl.)

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

Mr. Williams: Motion to adjourn.

President Gregory: No, you have another motion.

Mr. Congo: Yes. I make a motion to have this letter referred to the Planning Department and placed on the Planning Commission's agenda.

Upon a motion of Mr. Congo, seconded by Mr. Williams, the application was referred to the Planning Department to be placed on the Planning Commission's agenda. Motion prevailed.

ADJOURNMENT

Upon a motion of Mr. Wright, seconded by Mr. Williams/Ms. Shabazz, Council adjourned at 7:39. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk