

*Wilmington, Delaware
Louis L. Redding
City/County Building
October 4, 2018*

Council met in regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

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, Oliver, Harlee, Turner, McCoy, Williams, Freel, Dixon and Guy, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Adams and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of September 20, 2018, upon a motion of Council Member Chukwuocha, seconded by Council Member Freel, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Health, Aging & Disabilities Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Ernest "Trippi" Congo, II, Chair	X		
Robert A. Williams, Vice-Chair		X	
Ciro Adams		X	
Rysheema Dixon	X		
Va'Shun "Vash" Turner	X		
Dr. Hanifa Shabazz, Ex-Officio		X	

President and Members of Council of
The City of Wilmington

September 26, 2018

Ladies and Gentlemen:

We, your Health, Aging & Disabilities Committee, to who was referred
Ordinance No. 18-046 entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE REGARDING BEVERAGES OFFERED IN CHILDREN'S MEALS

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

Respectfully submitted, Members of Health, Aging & Disabilities Committee
 /s/Ernest "Trippi" Congo, II, Chair
 /s/Rysheema Dixon
 /s/Va'Shun "Vash" Turner

Upon a motion of Council Member Turner, seconded by Council Members Freel and Williams, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Yolanda McCoy, Vice-Chair	X		
Nnamdi O. Chukwuocha		X	
Ernest "Trippi" Congo, II	X		
Zanthia Oliver	X		
Va'Shun "Vash" Turner		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
 The City of Wilmington

September 27, 2018

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Ordinance No. 18-041** entitled:

AN ORDINANCE TO AMEND CHAPTER 8 OF THE CITY CODE TO REQUIRE THAT DEVELOPERS WHO RECEIVE FINANCIAL ASSISTANCE FROM THE CITY OF WILMINGTON ON RESIDENTIAL CONSTRUCTION PROJECTS REQUIRE THEIR CONSTRUCTION CONTRACTORS TO HIRE WORKERS FROM CLASS A APPRENTICE PROGRAMS

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

Respectfully submitted, Members of
 Community Development & Urban Planning Committee
 /s/Rysheema Dixon, Chair
 /s/Yolanda McCoy, Vice-Chair
 /s/Ernest “Trippi” Congo, II
 /s/Zanthia Oliver
 /s/Hanifa Shabazz, Ex-Officio Member

Upon a motion of Council Member Dixon, seconded by Council Member Turner, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. “Bud” Freel, Chair	X		
Nnamdi O. Chukwuocha, Vice-Chair	X		
Ciro Adams	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Robert A. Williams		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
 The City of Wilmington

Date: Oct. 1, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-043** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
 TO UPDATE THE ETHICS PROVISIONS

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

Respectfully submitted, Members of
 Finance & Economic Development Committee
 /s/Charles M. Freel, Chair
 /s/Nnamdi O. Chukwuocha, Vice-Chair
 /s/Ciro E. Adams
 /s/Zanthia Oliver
 /s/Hanifa Shabazz, Ex-Officio Member

Upon a motion of Council Member Freel, seconded by Council Members Williams and Dixon, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Nnamdi O. Chukwuocha, Vice-Chair	X		
Ciro Adams	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Robert A. Williams		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

October 1, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-045** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO ESTABLISH (I) A TAX STABILIZATION RESERVE WITHIN THE GENERAL FUND AND (II) AN OPERATION AND MAINTENANCE RESERVE AND A RATE STABILIZATION RESERVE WITHIN THE WATER/SEWER FUND

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

Respectfully submitted, Members of
Finance & Economic Development Committee
/s/Charles M. Freel, Chair
/s/Nnamdi O. Chukwuocha, Vice-Chair
/s/Ciro E. Adams
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

Upon a motion of Council Member Freel, seconded by Council Members Williams and Dixon, the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report as of October 4, 2018, was read into the record by City Clerk and upon a motion of Council Member Chukwuocha, seconded by Council Member Freel, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 6.

City of Wilmington
Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2480
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report
as of October 4, 2018

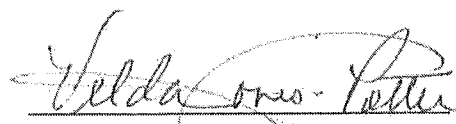
Cash on Hand:

General Account	M & T Bank	\$5,572,003.31
Central Deposit	M & T Bank	\$50,860.65
Payroll	M & T Bank	\$4,469,276.29
Total Petty Cash Accounts	M & T Bank	\$11,984.43
Grant-In-Aid	M & T Bank	\$224,728.85
Evidence/Found Currency Account	M & T Bank	\$843,942.27
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,592.52
Police Department Discretionary	M & T Bank	\$17,619.15
Pension Payroll Account	M & T Bank	\$129,025.82
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,023.79
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$179,085.18
Police Pension Account	M & T Bank	\$220,995.38
Fire Pension Account	M & T Bank	\$43,171.05
Worker's Comp 3rd Party Account	M & T Bank	\$33,530.44
Retiree Healthcare Account	M & T Bank	\$442,171.64
SubTotal		\$12,278,742.55
Total Cash on Hand		\$12,278,742.55

INVESTMENTS OCTOBER 4, 2018:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	WSFS	CD	10/4/2018	1.98%	\$5,831.51	\$2,500,000.00
General	WSFS	CD	10/11/2018	1.95%	\$9,536.30	\$3,500,000.00
General	WSFS	CD	10/18/2018	2.00%	\$5,589.04	\$2,000,000.00
General	WSFS	CD	10/25/2018	2.00%	\$11,123.29	\$3,500,000.00
General	TD	CD	10/30/2018	2.00%	\$28,000.00	\$8,000,000.00
General	WSFS	CD	11/8/2018	1.95%	\$8,471.82	\$2,517,066.26
General	WSFS	CD	11/15/2018	1.95%	\$11,058.90	\$3,000,000.00
General	WSFS	CD	11/20/2018	1.95%	\$15,813.70	\$4,000,000.00
General	WSFS	CD	11/28/2018	1.95%	\$17,523.29	\$4,000,000.00
General	WSFS	CD	11/28/2018	2.20%	\$10,126.03	\$3,000,000.00
General	WSFS	CD	12/6/2018	2.20%	\$11,572.60	\$3,000,000.00
General ¹	TD	CD	9/27/2018	2.01%	\$92,678.58	\$15,689,029.00
SUB-TOTAL:						\$54,706,095.26
CAPITAL FUND:						
Capital	TD	CD	11/28/2018	2.02%	\$91,990.80	\$25,077,000.00
Capital	WSFS	CD	9/6/2018	1.90%	\$3,193.63	\$1,707,947.06
SUB-TOTAL:						\$26,784,947.06
RISK MGMT:						
Risk Management	WSFS	CD	10/10/2018	2.05%	\$40,984.55	\$8,018,955.40
Worker's Comp	WSFS	CD	10/10/2018	2.05%	\$40,984.55	\$8,018,955.40
Retiree Medical Escrow	Vanguard-OPEB					\$21,615,711.00
SUB-TOTAL:						\$37,653,621.80
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	10/29/2018	1.96%	\$8,940.01	\$5,045,000.00
Fire Pension	WSFS	CD	10/29/2018	1.96%	\$1,807.49	\$1,020,000.00
Escrow Pension	Edgar Lomax					\$22,231,180.00
Escrow Pension	Vanguard Fixed					\$38,989,355.00
Escrow Pension	Earnest Partners					\$24,358,316.00
Escrow Pension	Wilmington Trust					\$37,447,326.00
Escrow Pension	Vanguard Stock Index					\$41,820,458.00
Escrow Pension	Artisan Global					\$8,663,875.00
Escrow Pension	Dodge & Cox					\$11,264,691.00
Escrow Pension	Fidelity					\$18,989,871.00
Escrow Pension	Harding Loevner					\$8,785,243.00
Escrow Pension	MFS Management					\$23,236,482.00
Escrow Pension	Clarion Lyon					\$5,896,366.00
SUB-TOTAL:						\$247,748,163.00
OTHER:						
Deferred Comp.	MassMutual					\$48,479,784.11
Port Debt	M&T					\$2,606,194.00
Total Investments						\$417,978,805.23
Total Cash on Hand						\$12,278,742.55
Grand Total						\$430,257,547.78

¹ Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Turner, seconded by Council Members Freel and Dixon, the following non-legislative resolutions were accepted into the record and motion prevailed:

Harlee	Recognize Steve Washington
McCoy	Recognize The Delaware Adolescent Program, Inc. (DAPI)
Oliver	Sympathy Keneesha Denise Cunningham
Oliver	Sympathy Juanita Crump
Oliver	Sympathy Thelma Richardson
Oliver	Sympathy Francis A. Thomas
Shabazz	Recognize The Honorable Gregory M. Sleet
Shabazz	Sympathy Ronald Sutton
Turner	Sympathy James Roger Turner
Williams	Recognize Master Corporal Martin L. Lenhardt

President Shabazz acknowledged and recognized State Representative Stephanie T. Bolden who was in the audience and thanked her for her attendance this evening.

LEGISLATIVE BUSINESS

President Shabazz: Council Member Chukwuocha.

Council Member Chukwuocha: Yes, Madam President, I have an Ordinance to present on your behalf.

On behalf of President Shabazz, Council Member Chukwuocha presented and called for the third and final reading Ordinance No. 18-043 (Agenda #4568) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY
CODE TO UPDATE THE ETHICS PROVISIONS

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.

Upon a motion of Council Member Chukwuocha, seconded by Council Member Williams, the above Ordinance was before the Council for its consideration. Council Member Chukwuocha spoke on the purpose of the Ordinance. Council Member Freel thanked some individuals for putting a lot of effort into this legislation and made some comments.

President Shabazz: Clerk will call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea

and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel and Dixon, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Adams, Guy and Walsh. Total, three.

President Shabazz: Declare it adopted. Council Member Congo, any legislation this evening?

Council Member Congo: Nothing tonight Madam President, thank you.

President Shabazz: Council Member Oliver.

Council Member Oliver: Nothing tonight Madam President.

President Shabazz: Council Member Harlee.

Council Member Harlee: Yes, Council President, I have an Ordinance to present and call for the first and second reading.

Council Member Harlee presented and called for the first and second reading Ordinance No. 18-047 (Agenda #4582) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS

This above Ordinance was given two separate readings by title only and upon a motion of Council Member Harlee, seconded by Council Member Dixon, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

President Shabazz: Council Member Turner.

Council Member Turner: Thank – thank you Madam President. I have an Ordinance to present and call for the third and final reading.

Council Member Turner presented and called for the third and final reading Ordinance No. 18-046 (Rev. 1, Agenda #4576) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE REGARDING BEVERAGES OFFERED
IN CHILDREN’S MEALS

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.

POLICY STATEMENT: This Ordinance was inspired by a systematic review of interventions aimed at reducing the consumption of sugar sweetened beverages. Studies have found a significant link between sugary drink consumption and weight gain in

children. Soda and sugary beverages are the single largest source of calories in children's diets and provide nearly half of kids' added sugar intake. Cities can promote good health for their youngest residents by instituting policies that support children's health and intends to support parent's efforts in providing healthier choices and improving the nutritional quality of children's meals.

The cities of Davis, Stockton, Berkeley, Long Beach, and Santa Clara County in California, and Baltimore in Maryland, have all adopted ordinances providing for healthy default beverages in restaurant children's meals. We urge Wilmington to join this growing national movement. The designation of particular beverages as children's menu items helps to establish food norms for children, affecting their preferences and lifelong eating patterns.

Upon a motion of Council Member Turner, seconded by Council Member Williams, the above Ordinance was before the Council for its consideration. Council Member Turner spoke on the purpose of the Ordinance. Council Member Congo expressed his support and made a comment.

President Shabazz: Clerk will call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel and Dixon, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Adams, Guy and Walsh. Total, three.

President Shabazz: Declare it adopted.

Council Member Turner: Thank you Madam President. That's all I have tonight.

President Shabazz: Thank you Councilman. Council Member McCoy.

Council Member McCoy: I have nothing tonight Madam President.

President Shabazz: Council Member Williams.

Council Member Williams: No legislation this evening, thank you.

President Shabazz: Thank you. Council Member Freel.

Council Member Freel: Yes, I have one Ordinance for third and final.

Council Member Freel presented and called for the third and final reading Ordinance No. 18-045 (Agenda #4571) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO ESTABLISH (I) A TAX STABILIZATION RESERVE WITHIN THE GENERAL FUND AND (II) AN OPERATION AND MAINTENANCE RESERVE AND A RATE STABILIZATION RESERVE WITHIN THE WATER/ SEWER FUND

Upon a motion of Council Member Freel, seconded by Council Member Williams, the above Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance. Council Member Turner raised a question regarding the effective date and Council Member Freel responded.

President Shabazz: Clerk will call the roll.

The Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel and Dixon, and Council President Shabazz. Total, ten. Nays, none. Present, Council Member Guy. Total, one. Absent, Council Members Adams and Walsh. Total, two.

Council Member Freel: That's all I have, thank you.

President Shabazz: Declare it adopted. Council Member Guy.

Council Member Guy: Um, yes, Madam President, agenda item #4561 is an item where after three hours of public hearings, we're still reviewing the notes and transcripts and meeting with various stakeholders, so that's being held this evening.

President Shabazz: Thank you Councilman Guy. We now move into petitions and communications.

Council Member Williams: Madam President, permission to be excused.

President Shabazz: I'm sorry, hold on, wait a minute, did I forget something. I didn't ask Council Member Dixon if you had anything for presentation today.

Council Member Dixon: Nothing tonight Madam President.

President Shabazz: Thank you.

Council Member Williams: Permission to be excused.

President Shabazz: Councilman Williams, you're excused.

PETITIONS AND COMMUNICATIONS

Council Members announced community events/activities, civic association meetings and Neighborhood Planning Council meetings throughout their districts as well as announced committee meetings. In addition, Council Members spoke on the following: available scholarship funds; concerns expressed of a viral video of the City of Detroit as it relates to paintball guns as well the recent incidents in the City with paintball guns and the need to come up with a solution dealing with the use of paintball guns in the City of Wilmington; disappointment expressed of an incident with police involving a car being towed; police manual; education; residents were reminded to visit Council's website at www.wilmingtoncitycouncil.com and WITN Channel 22 for information; and including but not limited to the Wilmington Youth Leadership Commission were congratulated for their graduation and "Right to Know" program.

ADJOURNMENT

Upon a motion of Council Member Freel, seconded by Council Members Turner and McCoy, Council adjourned at 7:25 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk