

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
September 13, 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, Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Council President Shabazz. Total, ten. Absent with leave, Council Members Chukwuocha and Walsh, and absent without leave, Council Member Guy. Total Absent, three.

### **MINUTES**

After reading a portion of the minutes of August 30, 2018, upon a motion of Council Member Freel, seconded by Council Member Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Finance &amp; Economic Development Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
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

September 4, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-037** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WETLAND PARK PROJECT), SERIES OF 2018B-WPCRF IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S WETLAND PARK PROJECT; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

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 Adams  
 /s/Robert A. Williams  
 /s/Hanifa Shabazz, Ex-Officio Member

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

The City Clerk read the following committee report:

<u>Finance &amp; 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

September 4, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-038** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND, SERIES OF 2018C-WPCRF IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S SEWER SEPARATION PROJECTS & FLOW MONITORING; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

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 Adams  
 /s/Robert A. Williams  
 /s/Hanifa Shabazz, Ex-Officio Member

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

The City Clerk read the following committee report:

<u>Finance &amp; 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

September 4, 2018

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 18-042** entitled:

AN OORDINANCE TO AUTHORIZE AND APPROVE A  
 VOLUME LICENSING AGREEMENT BETWEEN THE  
 CITY OF WILMINGTON AND MICROSOFT CORPORATION  
 FOR MICROSOFT COMPUTER SOFTWARE

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 Adams  
 /s/Robert A. Williams  
 /s/Hanifa Shabazz, Ex-Officio Member

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

### **TREASURER'S REPORT**

The following Treasurer's Report as of September 13, 2018, was read into the record by City Clerk and upon a motion of Council Member Freel, seconded by Council Member Williams, 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.*

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# 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 September 13, 2018

**Cash on Hand:**

General Account	M & T Bank	\$8,090,777.38
Central Deposit	M & T Bank	\$466,853.62
Payroll	M & T Bank	\$2,072,132.92
Total Petty Cash Accounts	M & T Bank	\$12,274.52
Grant-In-Aid	M & T Bank	\$224,728.85
Evidence/Found Currency Account	M & T Bank	\$845,988.27
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	\$20,564.10
Pension Payroll Account	M & T Bank	\$67,610.74
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	\$194,560.46
Police Pension Account	M & T Bank	\$229,488.86
Fire Pension Account	M & T Bank	\$41,881.83
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$421,571.40
<b>SubTotal</b>		<b>\$12,753,781.04</b>
<b>Total Cash on Hand</b>		<b>\$12,753,781.04</b>

**INVESTMENTS SEPTEMBER 13, 2018:**

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>GENERAL FUND:</b>						
General	WSFS	CD	9/13/2018	1.92%	\$9,977.11	\$3,010,620.82
General	WSFS	CD	9/20/2018	1.96%	\$10,188.51	\$3,011,667.94
General	TD	CD	9/27/2018	2.02%	\$8,865.15	\$2,507,822.75
General	WSFS	CD	9/27/2018	1.99%	\$8,995.89	\$3,000,000.00
General	WSFS	CD	9/27/2018	1.95%	\$3,953.42	\$2,000,000.00
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 <sup>1</sup>	TD	CD	9/27/2018	2.01%	\$78,837.37	\$15,689,029.00
<b>SUB-TOTAL:</b>						<b>\$62,236,206.77</b>
<b>CAPITAL FUND:</b>						
Capital	TD	CD	9/27/2018	2.02%	\$88,647.20	\$25,077,000.00
Capital	WSFS	CD	9/6/2018	1.90%	\$3,193.63	\$1,707,947.06
<b>SUB-TOTAL:</b>						<b>\$26,784,947.06</b>
<b>RISK MGMT:</b>						
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
<b>SUB-TOTAL:</b>						<b>\$37,653,621.80</b>
<b>PENSION FUND:</b>						
Non-Uniform 1990	WSFS	CD	9/26/2018	1.90%	\$6,922.76	\$5,115,000.00
Fire Pension	WSFS	CD	9/26/2018	1.90%	\$2,145.17	\$1,585,000.00
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
<b>SUB-TOTAL:</b>						<b>\$248,383,163.00</b>
<b>OTHER:</b>						
Deferred Comp.	MassMutual					\$48,341,712.73
<b>Total Investments</b>						<b>\$423,399,651.36</b>
<b>Total Cash on Hand</b>						<b>\$12,753,781.04</b>
<b>Grand Total</b>						<b>\$436,153,432.40</b>

<sup>1</sup> Budget Reserve

*Velda Jones Potter*  
Velda Jones Potter, City Treasurer

## NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Freel and several other members of Council, seconded by Council Member Williams, the following non-legislative resolutions were accepted into the record and motion prevailed:

McCoy	Recognize Nicole DeAngelo
McCoy	Recognize Doris Redding
Oliver	Sympathy Gumersinda (Josefa) Lahoz
Shabazz	Sympathy Addie Lee McCants
Williams	Sympathy John Farrace

## LEGISLATIVE BUSINESS

President Shabazz: Councilman Chukwuocha is not here but Councilman Freel will present in his absence.

Council Member Freel: I'm presenting on behalf of Councilman Chukwuocha on your behalf.

On behalf of Council Member Chukwuocha and President Shabazz, Council Member Freel presented and called for the first and second 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.

The Ordinance was given two separate readings by title only and upon a motion of Council Member Freel, seconded by Council Member Williams, the Ordinance was received, recorded, and referred to the Finance & Economic Development Committee. Motion prevailed.

President Shabazz: Council Member Congo.

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

President Shabazz: Council Member Oliver.

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

President Shabazz: Council Member Harlee.

Council Member Harlee: Yes, Council President, I have a Resolution and an Ordinance to read for the first and second.

Council Member Harlee presented Resolution No. 18-060 (Agenda #4569) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

**WHEREAS**, the City, through the Department of Public Works, applied for a grant in the amount of \$2,999,972.00 from the National Fish and Wildlife Foundation; and

**WHEREAS**, the proposed grant funds would be used support the South Wilmington Wetlands Restoration and Conservation Project including expenses for excavation, seeding, plantings, and topsoil; and

**WHEREAS**, a 100% match is required and the City intends to fund the match through a State Revolving Fund Loan; and

**WHEREAS**, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Department of Public Works' grant application to the National Fish and Wildlife Foundation in the amount of \$2,999,972.00 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Commissioner of Public Works, or her designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact on the City, because no additional funds need to be budgeted as a match for this grant.

Upon a motion of Council Member Harlee, seconded by Council Members Williams, Turner and Dixon, the above Resolution was before the Council for its consideration. Council Member Harlee spoke on the purpose of the Resolution.

President Shabazz: Clerk will call the roll.

The 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, Oliver, Turner, McCoy, Williams, Freil, Adams and Dixon, and President Shabazz. Total, ten. Nays, none. Absent, Council Members Chukwuocha, Guy and Walsh. Total, three.

President Shabazz: Declare it adopted.



Council Member Harlee: At this time, I would like to this Ordinance.

Council Member Harlee presented and called for the first and second reading Ordinance No. 18-044 (Agenda #4570) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF  
ALICO ROAD FROM THE OFFICIAL CITY MAP

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

Council Member Harlee: Thank you.

President Shabazz: Council Member Turner.

Council Member Turner: Nothing tonight Madam President.

President Shabazz: Council Member McCoy.

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Council Member Williams.

Council Member Williams: Nothing this evening Madam President.  
Permission to be excused.

President Shabazz: Permission granted.

Council Member Williams: Thank you.

President Shabazz: Council Member Freel.

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

Council Member Freel presented for the third and final reading Ordinance No. 18-042 (Agenda #4567) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
VOLUME LICENSING AGREEMENT BETWEEN THE  
CITY OF WLMINGTON AND MICROSOFT  
CORPORATION FOR MICROSOFT COMPUTER  
SOFTWARE

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a contract for the period of three (3) years at an estimated price of Three Hundred One Thousand Nine Hundred Eighty One Dollars and Seventy Four Cents (\$301,981.74) per year for a total estimated price of Nine Hundred Five Thousand Nine Hundred Forty-Five Dollars and Twenty-Two Cents (\$905,945.22), with the possibility of one (1) extension of three (3) years thereafter, at the option of the City.

Upon a motion of Council Member Freel, seconded by Council Member McCoy, the above Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance.

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 Congo, Oliver, Turner, McCoy, Freel, Adams and Dixon, and President Shabazz. Total, nine. Nays, none. Absent, Council Members Chukwuocha, Williams, Guy and Walsh. Total, four.

President Shabazz: Declare it adopted.

Council Member Freel presented and called for the first and second 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

The Ordinance was given two separate readings by title only and upon a motion of Council Member Freel, seconded by Council Member Oliver, the Ordinance was received, recorded, and referred to the Finance & Economic Development Committee. Motion prevailed.

President Shabazz: Councilman Guy is not in. Councilman Freel, will you be presenting the legislation this evening?

Council Member Freel: Yes, I can present these two. We discussed them both at the Finance Committee meeting that we recently had.

On behalf of Council Member Guy, Council Member Freel presented and called for the third and final reading Ordinance No. 18-037 (Agenda #4556) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WETLAND PARK PROJECT), SERIES OF 2018B-WPCRF IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S WETLAND PARK PROJECT; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

**FISCAL IMPACT:** Notable impact is on the City's debt service expenditure which is subject to the operating budget for such fiscal year, that is a product of the interest rate specified and the outstanding balance on the loan on such dates as set forth in the financing agreement. Debt service related to the City's enterprise funds are not subject to the statutory limit. Full accrual schedule will be set at project completion at which time, principal and interest of the bonds payable will amortize over the remaining term to maturity to achieve level debt service. Although principal payments are not expensed, there is fiscal impact on the City's cashflow from financing activities, subject to review by the City Treasurer.

Upon a motion of Council Member Freel, seconded by Council Member Dixon, the above Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance.

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

President Shabazz: Declare it adopted.

On behalf of Council Member Guy, Council Member Freel presented and called for the third and final reading Ordinance No. 18-038 (Agenda #4557) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND, SERIES OF 2018B-WPCRF IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S SEWER SEPARATION PROJECTS & FLOW MONITORING; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

**FISCAL IMPACT:** Notable impact is on the City's debt service expenditure which is subject to the operating budget for such fiscal year, that is a product of the interest rate specified and the outstanding balance on the loan on such dates as set forth in the

financing agreement. Debt service related to the City's enterprise funds are not subject to the statutory limit. Full accrual schedule will be set at project completion at which time, principal and interest of the bonds payable will amortize over the remaining term to maturity to achieve level debt service. Although principal payments are not expensed, there is fiscal impact on the City's cashflow from financing activities, subject to review by the City Treasurer.

Upon a motion of Council Member Freel, seconded by Council Member McCoy, the above Ordinance was before the Council for its consideration. Council Member Freel spoke on the purpose of the Ordinance.

President Shabazz: Clerk 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 Congo, Oliver, Harlee, Turner, McCoy, Freel, Adams and Dixon, and President Shabazz. Total, nine. Nays, none. Absent, Council Members Chukwuocha, Williams, Guy and Walsh. Total, four.

President Shabazz: Declare it adopted.

Council Member Freel: That's everything.

### **PETITIONS AND COMMUNICATIONS**

Council Members announced community events/activities throughout their districts as well as announced a committee meeting. In addition, concerns were expressed of the flooding issues in the South Wilmington Southbridge area. It was noted that the wetland legislation that was passed this evening will help address the flooding issue, and it was noted that residents experiencing flooding are to text Southbridge 95577. Also, concerns were expressed regarding Council staff's morale and the need to have the assistance of the Council as a body and address the matter. It was duly noted that personnel matter should not be discussed on the floor.

### **ADJOURNMENT**

Upon a motion of Council Member Freel, seconded by Council Member McCoy, Council adjourned at 7:10 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk