

*Wilmington, Delaware
Louis L. Redding
City/County Building
September 20, 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 Guy, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Chukwuocha and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of September 13, 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:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Va'Shun "Vash" Turner, Chair	X		
Ciro Adams, Vice-Chair		X	
Ernest "Trippi" Congo, II	X		
Michelle Harlee	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

September 17, 2018

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 18-039 entitled:

AN ORDINANCE TO AMEND CHAPTER 42 OF THE CITY
CODE RELATING TO THE INSTALLATION OF WIRELESS
TELECOMMUNICATIONS FACILITIES IN THE PUBLIC
RIGHTS OF WAY

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Va'Shun "Vash" Turner, Chair
/s/Ernest "Trippi" Congo, II
/s/Michelle Harlee
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

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

The City Clerk read the following committee report:

<u>Public Works & Transportation Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Va'Shun "Vash" Turner, Chair	X		
Ciro Adams, Vice-Chair		X	
Ernest "Trippi" Congo, II	X		
Michelle Harlee	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

September 17, 2018

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 18-044 entitled:

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

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Va'Shun "Vash" Turner, Chair
/s/Ernest "Trippi" Congo, II
/s/Michelle Harlee
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

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

TREASURER'S REPORT

The following Treasurer's Report as of September 20, 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 4 to Page 5.

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 20, 2018


Cash on Hand:

General Account	M & T Bank	\$9,661,807.28
Central Deposit	M & T Bank	\$206,860.57
Payroll	M & T Bank	\$3,015,917.36
Total Petty Cash Accounts	M & T Bank	\$12,107.57
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	\$17,869.15
Pension Payroll Account	M & T Bank	\$41,844.43
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	\$367,450.03
Police Pension Account	M & T Bank	\$455,450.83
Fire Pension Account	M & T Bank	\$79,753.16
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$361,864.82
SubTotal		\$15,354,944.41
Total Cash on Hand		\$15,354,944.41

INVESTMENTS SEPTEMBER 20, 2018:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
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 ¹	TD	CD	9/27/2018	2.01%	\$78,837.37	\$15,689,029.00
SUB-TOTAL:						\$59,225,585.95
CAPITAL FUND:						
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
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	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
SUB-TOTAL:						\$248,383,163.00
OTHER:						
Deferred Comp.	MassMutual					\$48,470,267.31
Total Investments						\$420,517,585.12
Total Cash on Hand						\$15,354,944.41
Grand Total						\$435,872,529.53

¹ Budget Reserve


 Velda Jones-Potter, City Treasurer

President Shabazz: Before we go into non-legislative, I'll like to make a correction on the agenda that the Hispanic Heritage Month Resolution should be noted as "All Council".

Mrs. Seijo (City Clerk): So, noted.

NON-LEGISLATIVE BUSINESS

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

All Council	Recognize Hispanic Heritage Month at the Latin American Community Center (LACC)
Harlee	Sympathy Jean Ellington
Shabazz	Recognize Hillcrest-Bellefonte United Methodist Church – 110 Years of Ministry
Shabazz	Sympathy Mattie Sue Brown
Shabazz	Sympathy Sprunt Murphy
Williams	Recognize Yesenia Taveras

LEGISLATIVE BUSINESS

President Shabazz: Councilman Congo, any legislation this evening?

Council Member Congo: Nothing tonight Madam President.

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 three pieces of legislation on tonight. Okay, agenda item 4572.

Council Member Harlee presented Resolution No. 18-061 (Agenda #4572) as follows:

WHEREAS, fireworks and other types of pyrotechnics can be an exciting and aesthetically pleasing way to commemorate an occasion that warrants celebration and recognition, when utilized safely and in accordance with laws and regulations; and

WHEREAS, the Delaware State Code stipulates that fireworks and other combustible devices can generally be used only by organizations with the appropriate permit for public display of fireworks. However, individuals are permitted to use

sparklers and limited ground-based or hand-held devices on July 4, December 31 and January 1 of each year; and

WHEREAS, recently the nation celebrated the Fourth of July holiday and 242 years of independence. Despite the provisions of State law, residents in Wilmington have reported fireworks being used illegally, and sometimes in ways that could pose a threat to safety and property; and

WHEREAS, the National Fire Protection Association found that fireworks start an average of 18,500 fires every year, with amounts to approximately \$43 million in direct property damage. In 2017, an estimated 12,900 people were sent to the emergency room for fireworks-related injuries, and children accounted for more than one-third of that number; and

WHEREAS, fireworks have the capacity to add awe and entertainment in celebratory settings, but these low-grade explosives can disrupt communities, create respiratory hazards and can be dangerous, particularly for children; and

WHEREAS, the Wilmington Fire Department and the Wilmington Police Department not only serve to provide the people of Wilmington with emergency services and support to maintain order, but also work to educate the public on risky behaviors and situations. The Wilmington City Council encourages the Wilmington Fire Department and the Wilmington Police Department to continue to provide the public with information regarding the hazards and dangers of fireworks, and to enforce the restrictions set forth in the Delaware State Code. By providing the public with a robust education program on fireworks, we can work to eliminate the potential for damage to properties, injuries and even death.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council respectfully asks the Wilmington Fire Department and Wilmington Police Department to provide the people of Wilmington with a more robust educational program on the riskiness of using fireworks, and to enforce the restrictions set forth in the Delaware State Code.

Upon a motion of Council Member Harlee, seconded by Council Member Freel, 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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Harlee: Yes, I have uh Ordinance zero - - uh 18-044 to present and call for the third and final reading.

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

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

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

Council Member Guy made some comments regarding the courthouse and raised some questions. Both Council Member Harlee and President Shabazz responded to Council Member Guy's questions. Council Member Guy made additional comments and expressed support of the legislation.

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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Harlee: I have Resolution, agenda item 4573 to present.

Council Member Harlee presented Resolution No. 18-062 (Agenda #4573) as follows:

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

WHEREAS, Wilm. C. § 2-621(a) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; and

WHEREAS, Wilm. C. § 2-621(c) provides that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code, and non-profit organizations are exempt from the City's bid procedures and that upon the declaration of a property as approved for disposition by resolution of City Council, the Department of Real Estate and Housing may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority, or non-profit organization; and

WHEREAS, the City currently owns Alico Road, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-035.4-0157 (the "Property"); and

WHEREAS, the City received a request from the State of Delaware for the acquisition of the Property to facilitate long range plans for the adaptive reuse of the Customs House (516 King Street) and improvements to the Leonard L. Williams Justice Center (500 King Street); and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to declare the Property surplus; and

WHEREAS, the Council further wishes to approve the disposition of the Property to the State of Delaware.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby declares the Property to be surplus and approves the Property for disposition to the State of Delaware.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Property, including any and all further undertakings and assurances that may be appropriate.

Upon a motion of Council Member Harlee, seconded by Council Members Freel and Williams, 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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted. Council Member Turner.

Council Member Turner: Thank you Madam President. Madam President, I have a Resolution to present.

Council Member Turner presented Resolution No. 18-063 (Agenda #4574) as follows:

WHEREAS, people with criminal arrest records often face difficulties in applying for and obtaining employment, housing and other opportunities, even if they were never convicted of a crime. The social consequences of a criminal record can also lead to the denial of an individual's right to civic participation; and

WHEREAS, there is a growing body of research regarding the detrimental effects to an individual and society relating to the collateral consequences of arrests and criminal convictions. Expungements are based on the premise that those with criminal records will have trouble reintegrating into society and will encounter barriers that prevent participation in public life. Inability to participate in society in these basic

ways contributes to Delaware's high rate of recidivism and lowers the overall productivity and efficiency of the City of Wilmington; and

WHEREAS, in Delaware there are two types of expungements: (1) mandatory, which means the Court *must* grant an expungement, and discretionary, which means the Court *may* grant an expungement. At present, Delawareans are only allowed to petition to have a record expunged if the arrest or charges never led to a conviction, or after a pardon is granted for certain misdemeanor offenses only. Strategic efforts to lessen these consequences call for the automatic expungement of criminal records if (1) an arrest did not lead to a guilty disposition or (2) an isolated conviction has been followed by a significant amount of time spent staying out of trouble with the law; and

WHEREAS, on any given day, criminal charges, including charges that did not result in convictions, are publicly available online in the state of Delaware. Discrimination based on criminal records creates a significant socioeconomic barrier to employment and self-sufficiency. After individuals convicted of misdemeanor crimes have served their sentences and remained crime free long enough to demonstrate their rehabilitation, their access to employment, housing, education and other necessities of life should be fully restored; and

WHEREAS, comparable to legislation enacted in Pennsylvania, the criminal history record information of all individuals convicted of misdemeanor offenses would receive automatic expungement when completion of the court-ordered obligations of the sentence – including the payment of all fines, the completion of all terms of incarceration, probation, and other sanctions imposed as part of the sentence in the case – have been satisfied. The enactment of such legislation in Dover would require that Delawareans do not acquire subsequent convictions after a certain period of time – a decade for misdemeanors and five years for low-level summary offenses in any court of the unified judicial system.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Wilmington City Council calls upon the Delaware General Assembly to introduce and pass legislation amending Title 11 of the Delaware Code relating to the dissemination of criminal history record information, enacting regulations for automatic expungement for convictions of misdemeanors and for charges not leading to convictions, under specified guidelines.

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

Council Members Dixon, Harlee and Oliver requested to be added as co-sponsors and it was duly noted.

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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council

President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Thank you. Madam President, I have a Resolution to present.

Council Member Turner presented Resolution No. 18-064 (Agenda #4575) as follows:

WHEREAS, pursuant to Wilmington Charter Section 8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way, or other interest over or in such real estate with authority by general ordinance and later resolution from Council to do so; and

WHEREAS, City Code Section 2-626 provides that the Council shall by resolution approve the grant of any utility license, easement, or right-of-way by the Department of Public Works; and

WHEREAS, on July 8, 2004, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and Omnipoint Communications Enterprises, L.P. ("Omnipoint") which permitted Omnipoint to install and operate communications antennas on and a control cabinet at the base of the City's water tower on or near New Castle Avenue (Route 9), sometimes referred to as Paper Place, Wilmington, Delaware; and

WHEREAS, T-Mobile Northeast, LLC ("T-Mobile") is the successor-interest to Omnipoint with respect to the License Agreement; and

WHEREAS, the License Agreement is set to expire on June 30, 2019; and

WHEREAS, the parties desire to amend the License Agreement (a copy of the amendment, in substantial form, is attached hereto as Exhibit "A") to: 1) extend the term of the License Agreement for an additional five (5) years commencing on July 1, 2019; 2) increase the license fee payable by T-Mobile to the City under the License Agreement to \$49,000 per year with an increase of four percent (4%) annually commencing on July 1, 2019; and 3) provide T-Mobile with an option to renew the License Agreement for two (2) additional terms of five (5) years thereafter.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby authorizes and approves the "First Amendment to License Agreement" between the City of Wilmington and T-Mobile Northeast, LLC, a copy of which, in substantial form, is attached hereto as Exhibit "A", and the Mayor, or his designee, and the City Clerk are hereby authorized to execute as many copies of said "First Amendment to License Agreement" as may be necessary.

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

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, Harlee, Turner, McCoy, Williams, Freel, Adams and Dixon, and Council President Shabazz. Total, ten. Nays, Council Member Guy. Total, one. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Turner: Madam President, I have – Madam President, I have an Ordinance to present and call for the first and second reading.

Council Member Turner presented and called for the first and second reading Ordinance No. 18-046 (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.

The Ordinance was given two separate readings by title only and upon a motion of Council Member Turner, seconded by Council Members Williams and Freel, the Ordinance was received, recorded, and referred to the Health, Aging & Disabilities Committee. Motion prevailed.

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

President Shabazz: Thank you sir. Council Member McCoy.

Council Member McCoy: Nothing tonight.

President Shabazz: Council Member Williams.

Council Member Williams: Madam President, I have a Resolution to present.

Council Member Williams presented Resolution No. 18-065 (Agenda #4577) as follows:

WHEREAS, Wilmington City Council has enacted Section 2-3 of the Wilmington City Code regarding the authorization and procedures for naming City streets, parks, playgrounds, plazas, buildings, facilities, statues, monuments and other lands reserved for public use in order to commemorate a particular person and his/her social significance to the City; and

WHEREAS, Section 2-3 states that if it is proposed that a part of, or any facility within, a street or reserved land that is subject to this section be named or renamed in honor of or dedicated to any person, place or event that is different from the rest of it or that is different than that within which it is located, such naming or renaming may be done by resolution by City Council pursuant to subsection (d) of this section, which retaining the name of the rest of the street or park or other reserved land within which the park facility or object so dedicated is located; and

WHEREAS, one Wilmingtonian worthy of such an honor is Barbara DelleDonne, who passed away peacefully and surrounded by her loved ones on January 6th, 2018; and

WHEREAS, Mrs. DelleDonne was born in the City of Wilmington, and was a graduate of Wilmington High School. Upon retiring from Salisbury Laboratories, Mrs. DelleDonne worked at Delaware Park and Giorgi Kitchens. She was very active in her community and in politics, and was an advocate for neighbors and friends in need. She was truly a pillar of the community; and

WHEREAS, giving back was deeply important to Mrs. DelleDonne. For over 25 years, Mrs. DelleDonne volunteered as the exercise instructor at St. Anthony's Senior Center, which brought her much joy and fulfillment. She was also a parishioner of St. Anthony of Padua Church, where she was active in the Via Crucis for over 50 years. She also served as a volunteer for the Italian Festival, and even assisted with grade school and Padua Academy events; and

WHEREAS, Mrs. DelleDonne loved nothing more than her family. She especially enjoyed being surrounded by her grandchildren and great grandchildren. She loved having lunch with her girlfriends, visits from friends and family, sitting on the porch, and having her house open to all, especially during the Italian Festival and during the Christmas season; and

WHEREAS, City Council wishes to recognize the generous and caring spirit of Barbara DelleDonne, who brought so much light and love to those around her. She inspired her family to be faithful, loving, generous and kind, and is an exemplary model of what it means to be a public servant and give back to the community; and

WHEREAS, in recognition of the meaningful and demonstrative impact that this prominent Wilmingtonian has had, City Council wishes to name the playground in Father Tucker Park as the “Barbara DelleDonne Memorial Playground”; and

WHEREAS, in accordance with Ordinance 18-020 and the provisions of Section 2-3 of the City Code, the principal sponsor of this resolution has delivered to all members of Council a written justification supporting the proposed naming, and the Director of the Department of Parks and Recreation, the department with responsibility over Father Tucker Park, has furnished a written opinion expressing the department’s support of this proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council hereby names the playground in Father Tucker Park as the “Barbara DelleDonne Memorial Playground,” in recognition of Barbara DelleDonne and her significant contributions to the City of Wilmington. City Council looks forward to joining the Administration in celebrating this designation.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the Department of Parks and Recreation shall take all necessary measures to effectuate this naming upon passage of this resolution, and to post appropriate signage consistent with named facilities within other City parks, as soon as practicable.

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

President Shabazz: Clerk 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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

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

On behalf of President Shabazz, Council Member Williams presented Ordinance No. 18-039 (Agenda #4547) entitled:

AN ORDINANCE TO AMEND CHAPTER 42 OF THE CITY CODE RELATING TO THE INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY

Upon a motion of Council Member Williams, seconded by Council Member Freel, the above Ordinance was before the Council for its consideration. Motion prevailed.

Council Member Williams: Madam President, I have some floor amendments to address regarding this ordinance. I'm going to read them all, it's rather lengthy. If someone wants to go get a beverage or something and come back in about twenty-five or thirty minutes, I got a few to go through.

On page 4, Section 1, under § 42-706(a)(2), line 9:

- Add the word “public” before the phrase “rights of way” so that the text now reads:
 - “No person may occupy the public rights of way in the city to provide video programming services, utility services, or infrastructure used in the provision of utility services without a written authorization of that occupancy issued by the city, or an authorization of occupancy of the rights of way lawfully issued by the State of Delaware that permits occupancy of the portion of the public rights of way where a facility will be placed without further authorization from the city.”

On page 4, Section 1, under § 42-706(a)(2), line 11:

- Add the word “public” before the phrase “rights of way” so that the text now reads:
 - “Without limitation, a person occupies the public rights of way if it owns, controls, operates or manages facilities in the public rights of way. Provided, subject to such conditions as the City may establish, an authorization may specifically permit a wireless infrastructure provider to allow another wireless service provider to own part of the wireless telecommunications facility without obtaining a separate authorization to occupy the public rights of way.”

On page 5, Section 1, under § 42-706(a)(5), line 2:

- Add the word “public” before the phrase “rights of way” so that the text now reads:
 - “In addition to obtaining required authorizations, each person who will own or control wireless telecommunications facilities in the public rights of way that are used in the provision of utility services for a fee

shall register with the City, and provide and maintain an accurate list of its wireless facilities, their location, and size.”

On page 6, Section 1, under § 42-706(b)(3)(d), line 1:

- Strike the language “a “carrier on wheels”” and replace it with ““cells on wheels” or similar facilities” so that the sentence now reads:
 - “Installation of “cells on wheels” or similar facilities for a temporary period in connection with an emergency or event, but no longer than required for the emergency or event, provided that the installation does not involve excavation, movement or removal of existing facilities. This section does not relieve a person from the obligation to obtain other required permits (such as electrical permits) or to file appropriate traffic control plans.”

On page 7, Section 1, under § 42-706(e)(2), line 3:

- Add the word “public” before the phrase “rights of way” so that the text now reads:
 - “The regulations in the Wireless Telecommunications Facilities Manual and decisions on applications for placement of wireless telecommunications facilities in the public rights of way shall, at a minimum, ensure that the requirements of this section are satisfied, absent a showing that denial of an application would effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations.”

On page 7, Section 1, under § 42-706(e)(3), line 9:

- Add the word “public” before the phrase “rights of way” so that the text now reads:
 - “. . . the intrusion on the public rights of way; and ensures that the city bears no”

On page 7, Section 1, under § 42-706(e)(3), line 11:

- Strike the word “inconvenience” and replace with “incommode”

Council Member Adams: Madam President, may I have a point of order? Is this the first and second reading of this ordinance or is this the third reading it has on the agenda?

President Shabazz: It's the third and final.

Council Member Adams: Uh, with such amendments would it not be the first and second reading?

President Shabazz: No. We're making amendments to the ordinance in the third and final reading.

Council Member Williams: I believe it's already presented.

President Shabazz: It's already presented.

Council Member Adams: It appears to be significant changes to the ordinance though ma'am, so I would think that this would be the first and second reading and it would have to go back to committee, would it not?

President Shabazz: No, if you hear, most of the readings are adding the word "*public*" everywhere and the word "public right of way", which it makes it extensive in the amendments and there's other – other amendments.

Council Member Adams: And I agree that you said most of, but there are significant changes in other areas, which are maybe one, two, three or four, however, they are still significant changes. So, is this the first and second reading or is this the third reading?

President Shabazz: No sir. It's – it's, it's the amendments made to the third and final reading of this ordinance as presented. Continue Councilman Williams.

Council Member Williams continued with the following amendments:

On page 7, Section 1, under § 42-706(e)(3), line 15:

- Add the word "public" before the phrase "rights of way" so that the text now reads:
 - "... relocation, vacation or abandonment of facilities in the public rights of way."

On page 7, Section 1, under § 42-706(e)(4)(a), line 1:

- Add the word "public" before the phrase "right of way" so that the text now reads:
 - "Antennas located at the top of public right of way support structures shall be incorporated into the structure, or placed within shrouds of a size such that the antenna appears to be part of the support structure."

On page 8, Section 1, under § 42-706(e)(5), line 5:

- Strike the language “do not” and replace with “are not required to”

On page 8, Section 1, under § 42-706(e)(5), line 6:

- After the word “agreements” add the language:
 - “by this ordinance. However, it is the intent of the City that absent specific findings that approval is required or in the public interest, the approval for use will only occur if placement is consistent with this ordinance, if the visible elements of the wireless telecommunications facility are no larger than provided in the Wireless Telecommunications Facilities Manual, and if the design is consistent with the design of the facility to which it is to be attached, minimizes the overall impact on the structure and its surroundings, and does not in any respect interfere with current and future uses of the structure by, or as directed by, the City.”

So that the text now reads:

- “The city, as a matter of policy, will negotiate agreements for use of city owned or controlled light standards and traffic signals in the public rights of way. The placement of wireless telecommunications facilities on those structures shall be subject to the agreement, and the provisions of subsections (2), (4), (7), and (8) herein and section 42-709(b)-(k) are not required to apply to such agreements by this ordinance. However, it is the intent of the City that absent specific findings that approval is required or in the public interest, the approval for use will only occur if placement is consistent with this ordinance, if the visible elements of the wireless telecommunications facility are no larger than provided in the Wireless Telecommunications Facilities Manual, and if the design is consistent with the design of the facility to which it is to be attached, minimizes the overall impact on the structure and its surroundings, and does not in any respect interfere with current and future uses of the structure by, or as directed by, the City. The agreement shall specify the compensation to the city for use of the structures. The person seeking the agreement shall additionally reimburse the city for all costs

the city incurs in connection with its review of, and action upon, the person's request for an agreement."

Council Member Adams: Point of order Madam President. Uh, Madam President, you said that most of these were just simply strikes and adding the word "*public*". That's seems to me be an awful lot more than adding the word "public".

President Shabazz: Correct.

Council Member Adams: It certainly appears to be a first and second reading and not a third reading of this ordinance.

President Shabazz: It's amendments made to ordinance that was already presented for first and second.

Council Member Williams continued with the following amendments:

On page 11, Section 1, under § 42-709(e), line 7:

- Strike the entire last sentence beginning with "If such an application is incomplete"

On page 14, Section 1, under § 42-713(j), line 1:

- Add the word "public" before the phrase "right-of-way area" so that the text now reads:
 - "Utility installations in the public right-of- way area of the city streets are to meet"

On page 16:

- After the Synopsis add the Fiscal Impact Statement. So that the text now reads:
 - **"FISCAL IMPACT STATEMENT:** It is estimated that the cost associated with implementing a review and permit process for the installation of wireless telecommunications facilities in the public rights of way will be approximately \$450,000.00. It is further estimated that the city may recover approximately \$350,000.00 of its costs through the application process. However, the costs and the amount of fees collected through the application process is dependent on the number of applications received."

Council Member Williams: That ends the amendments that I request...

Council Member Guy: Madam Chair.

Council Member Freel: I'll – I'll second the amendment.

President Shabazz: It's been properly moved and seconded that be known as the enacting clause of the ordinance and call for the – excuse me – you seconded the amendment and it's been properly moved and seconded that be known as the enacting clause of the ordinance and call for the Yea and Nay Vote on the amendment as presented.

Council Member Guy: Madam Chair.

President Shabazz: All those in favor signify by saying "Aye".

Council Member Guy: Madam Chair... I ...

President Shabazz: Any Oppose?

Council Member Guy: I put my hand up Madam Chair, on the amendment, so we get to speak to the amendment. And, you heard me and saw me ...

President Shabazz: I heard you call out and not be recognized while I was taking the call – the vote and I did not recognize you speak ... (inaudible) ...

Council Member Guy: No, you hadn't taken the vote, my hand was up, and I called you before you started taking a vote.

President Shabazz: But calling out is not the proper order ... (inaudible) ...

Council Member Guy: Well you intentionally don't look. So, you can't play that game. That's why (inaudible) ...

President Shabazz: You can't tell me what I intentionally do.

Council Member Guy: Yeah, you do.

President Shabazz: First and second - - it's been properly moved and seconded, on the question.

Council Member Guy: And I have comment on the question.

President Shabazz: On the question of the amended ordinance.

Council Member Guy: That's correct. On the amendment.

President Shabazz: On the amended ordinance.

Council Member Guy: Did we vote on the amendment yet? No.

President Shabazz: Yes, we did.

Council Member Guy: We didn't vote on the amendment.

President Shabazz: Members in favor signify by saying

Council Member Guy: Um, I have a question (inaudible) ...

President Shabazz: Did we have - - did we.

Council Member Oliver: Yeah, we voted on it.

President Shabazz: Excuse me – again.

Mrs. Seijo (City Clerk): You did a voice vote.

President Shabazz: We did a voice vote.

Council Member Guy: Call for the roll call vote.

Council Member Adams: Call for the roll call vote.

Council Member Guy: Call for the roll call vote.

President Shabazz: Roll call.

Mrs. Seijo (City Clerk): On the amendment.

Due to the voice vote on the amendment being unclear, a **Roll Call on the Amendment** was directed to be recorded and filed by the following Yea and Nay Roll Call Vote:
Yeas, Council Members Oliver, Harlee, McCoy, Williams and Freel, and Council President Shabazz. Total, Six. Nays, Council Members Congo, Turner, Adams and Guy. Total, four. Present, Council Member Dixon. Total, one. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Amendment – a majority present, six, amendment is accepted.

Council Member Williams: Back to the original ordinance.

President Shabazz: Back to the – back to the ord, as amended.

Council Member Williams: As amended. Council President, there was some questions that was raised in regard to this ordinance coming out and uh, most of – most of the answers are revolving around a specific language within Section 42-706, specifically, (e), there's a question that was raised about prohibiting the installation of new wireless support structures in the right of way and above ground wireless facilities. Actually, if you go to 706(e) Section 2, it specifically provides information that this regulation would affectively prohibit personal wire services and the city can waive the regulation. It's made very clear in that Ordinance how that process goes. Um, in Section 42-706(e)(7), it conflicts with 42-706(e)(3). That section restates the prohibit – prohibition against new structures above the ground facilities, etc. That is also incorrect. (e)(7) provides an exception, it does not conflict. Also, if the provider shows that the regulation would affectively prohibit personal wireless services, then the city can waive that regulation. Section 42-706(e)(4)(b) requires antennas that are placed on top of support structures be incorporated into the structure. That's also incorrect. Section 42-706(e)(4) permits for alternative designs that are less intrusive or that would be required to avoid in affective prohibition of service. Um, and that was a few of the questions that were asked. Ultimately, what this does is it gives us a comprehensive plan, um, if the city doesn't move forward with something then we're going to get what's given to us. Um, so, this is our – our proposal at this time.

President Shabazz: Thank you Councilman. Councilman Turner.

Council Member Turner: Thank you, thank you Madam President. Madam President, are we – are we speaking right now on the question, is on the question, the amended – the amendment of the amended Chapter 14 City Code, or is it the – right now on the question, are we – am I speaking to the amendment of the amended Chapter 42?

President Shabazz: We are speaking on the – the ordinance as presented and amended and accepted by – by the – voted on the Council.

Council Member Turner: Thank you. Madam, Madam President, that's part of my question. This, this, this ordinance was presented in Public Works with, with Council, Council Member Williams just read was the substitute ordinance that was trying to be put into of – into the Public Works meeting, which we didn't – none, none of us had that – that substitute, um the language, at that time. It was twenty minutes prior to the meeting that it was even, uh, presented – presented to, to staff to put that in the meeting. And, now, we, we're reading the same thing, um, and I, I shot the substitute down at, at the meeting because it wasn't never on the agenda, which we were always told that you had to have your updated agenda six-hour prior to the meeting, which that wasn't the case in this situation. Um, this, this, this whole thing just doesn't smell right. It doesn't pass the smell test. We're trying to rush it. We're trying to rush it before the FCC; your substitute didn't make the agenda, but we tried to get the legislation in, in the Public Works meeting, I didn't allow that to happen and now we're amending it on the floor

with all the substitutes that was possibly on the substitute ordinance. This doesn't smell right and, and everybody else knows it.

President Shabazz: Councilman Guy.

Council Member Guy: Yes Madam Chair, um, what, what I would respectfully request of the person who's floor managing this, is that it is absolutely – the, the magnitude of the amendments - - first of all, it's almost a fifteen page piece of legislation then at the last minute, there's a hundred thousand changes and this is exactly the kind of thing that should go back to the committee to flush out exactly what's going on here. Now, when you talk about being a Councilperson, that's one level, but when you talk about the public, that's even taking it to a whole another level. So, the people that are here or watching on TV, they don't have any idea I would expect, unless they're in this business, what the practical implications are of this long list of amendments that were read off. So, I would hope that we send it back to committee to do this in a way that's more organized and more appropriate, and actually - it's very – to me, it's very disrespectful of members of City Council. That may not be the intent but that's a whole lot of changes on fifteen pages at the last minute. That, now, I'ma make another point in spirit of what my colleague mentioned earlier about this sounding like almost a first and second, I understand the spirit of what you're saying, and I agree with it conceptually. It's like almost a whole new piece of legislation that has popped up here and only the peep – we don't know who's controlling the pen, we don't even know who's proposing these changes but when you get into these telecommunication stuff and folks are able to get on our City Council floor and submit last second changes like this, I agree when it was stated that it don't pass the smell test. This is the kind of stuff that makes me want to send the whole ordinance now to the FCC and U.S. Attorney's Office for them to look at this and tell us what's going on that we're not being told. So, I'ma, I'ma go back, I think this needs to go back to committee so that at least it can pass the smell test for process and then the substance can be discussed. In the absence of that, you can count me as a “no” vote and I hope it doesn't get the seven but maybe it will. That's all I have Madam Chair.

President Shabazz: Councilman Congo.

Council Member Congo: Yes, thank you Madam President. I also believe that the process is flawed for this ordinance. Um, it seems like at the meeting, the carriers they weren't even giving adequate time to know about the amendments; I think that's pretty unfair. Speaking on their behalf, um, it just seemed like they were kind of caught off guard, they didn't know what was going on. I agree that it just needs to go back to committee. I, I, I want to believe, and I hope that our residents want to believe that we're going to do everything in good faith for their benefit. And, if that's the case, I just think we need to, to, to, you know, take our time in and um, just let everybody be in the know about, about this whole, this whole ordinance, and just give the carriers that, that respect to, um, to be able to state their case. Um, the meeting was rushed, whether the vote was rushed, I don't think that was fair to them and I don't think that was fair to us as Councilmembers. Thank you.

President Shabazz: Councilman Turner.

Council Member Turner: Thank you Madam President. I make a motion to refer Ordinance 18-039 back to Standing Committee of Public Works.

Council Member Guy: Second.

President Shabazz: All those in favor signify by saying aye.

Several Council Members: Ayes.

President Shabazz: Those opposed.

Several Council Members: No.

Council Member Turner: Roll call.

President Shabazz: Roll call.

Upon a motion of Council Member Turner, seconded by Council Member Guy, the above Ordinance was referred back to the Public Works & Transportation Committee and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Congo, Turner, McCoy, Adams, Dixon and Guy. Total, six. Nays, Council Members Oliver, Harlee, Williams and Freel, and Council President Shabazz. Total, five. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Referred accepted, Ordinance 4577 – Agenda #4577 referred back to committee.

Motion prevailed to have Ordinance 18-039 As Amended (#4577), referred back to Public Works & Transportation Committee.

President Shabazz: Anything else Councilman Williams?

Council Member Williams: I'll be doing some on Councilwoman Walsh's behalf when it comes her turn.

President Shabazz: Council Member Freel.

Council Member Freel: I don't have anything this evening, thank you.

President Shabazz: Council Member Adams.

Council Member Adams: Uh, no ma'am no legislation this evening.

President Shabazz: Council Member Dixon.

Council Member Dixon: Nothing tonight Madam President.

President Shabazz: Council Member Guy.

Council Member Guy: Nothing tonight Madam President.

President Shabazz: Council Member Williams you have - on behalf of Council Member Walsh.

Council Member Williams: Correct, I have a Resolution to present.

On behalf of Council Member Walsh, Council Member Williams presented Resolution No. 18-066 (Agenda #4578) 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 Wilmington Police Department, applied for a grant in the amount of \$90,000.000 from Delaware Department of Justice for funding from the Special Law Enforcement Assistance Fund; and

WHEREAS, the proposed grant funds would be used to purchase Microsoft Surface Pro Tablets and pay for advanced training for officers; and

WHEREAS, no matching funds are required; 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 Wilmington Police Department's grant application to the Delaware Criminal Justice Council in the amount of \$90,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or his 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 local matching funds are required by the grant.

Upon a motion of Council Member Williams, seconded by Council Member Freeland, the above Resolution was before the Council for its consideration. Council Member Williams 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, Harlee, Turner, McCoy, Williams, Freil, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have a Resolution to present.

On behalf of Council Member Walsh, Council Member Williams presented Resolution No. 18-067 (Agenda #4579) 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 Wilmington Police Department, applied for a Fund to Combat Violent Crime Grant from the State of Delaware in the amount of \$420,666.72; and

WHEREAS, the proposed grant funds would be used for an overtime program focused on combatting violent crime using intelligence driven data to direct the overtime to particular areas and utilizing patrols, walking assignments, tactical response initiatives, and plain clothes operations; and

WHEREAS, no matching funds are required; 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 Wilmington Police Department's grant application to the Delaware Criminal Justice Council in the amount of \$420,666.72 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or his 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 local matching funds are required by the grant.

Upon a motion of Council Member Williams, seconded by Council Member Freil, the above Resolution was before the Council for its consideration. Council Member Williams spoke on the purpose of the Resolution. Council Member Guy raised a question and Council Member Williams responded. Council Member Guy made some comments. Council Member Williams made additional comments.

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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have a Resolution to present.

On behalf of Council Member Walsh, Council Member Williams presented Resolution No. 18-068 (Agenda #4580) 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 Wilmington Police Department, applied for an Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice in the amount of \$224,448.00; and

WHEREAS, the proposed grant funds would be used for anti-violence overtime and the salary for one civilian cold case investigator; and

WHEREAS, no matching funds are required; 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 Wilmington Police Department's grant application to the U.S. Department of Justice in the amount of \$224,448.00; is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or his 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 local matching funds are required by the grant.

Upon a motion of Council Member Williams, seconded by Council Member McCoy, the above Resolution was before the Council for its consideration. Council Member Williams 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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Williams: Madam President, I have a Resolution to present.

On behalf of Council Member Walsh, Council Member Williams presented Resolution No. 18-069 (Agenda #4581) 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 Wilmington Police Department, applied for a subgrant in the amount of \$700,000.000 from the Delaware Criminal Justice Council, which is seeking the funding from the U.S. Department of Justice; and

WHEREAS, the proposed grant funds would be used to fund a police survey of citizens and Shot Spotter expansion for Wilmington Smart Policing-Reducing Violence and Shootings; and

WHEREAS, no matching funds are required; 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 Wilmington Police Department's subgrant application to the Delaware Criminal Justice Council in the amount of \$700,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or his 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 local matching funds are required by the grant.

Upon a motion of Council Member Williams, seconded by Council Member McCoy, the above Resolution was before the Council for its consideration. Council Member Williams spoke on the purpose of the Resolution. Councilman Turner raised a question and Councilman Williams responded.

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, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Chukwuocha and Walsh. Total, two.

President Shabazz: Declare it adopted.

PETITIONS AND COMMUNICATIONS

Council Members announced community events/activities, Civic Association/Neighborhood Planning Council meetings throughout their districts as well as announced committee meetings. In addition, Council members spoke on the following: Public Safety grants; not enough minority representation in police and the need to improve the recruitment process to help the police department and the fire department to be more reflective of the makeup of Wilmington; an update on body cameras was requested at the next public safety meeting; drop of shooting incidents; community policing; article in News Journal regarding grants in the budget process; the amount that was spent on the consultant for Ordinance 18-039; public schools and local funding of school district and the need for a Wilmington School District; reminder that legislation on Council agenda should not be discussed during petitions and communications; Great Oakes Charter School acceptance application of ninth graders until September 30; NAACP; retirement celebration of Honorable Gregory Sleet (Delaware Federal Judge); doors of opportunity; a legal opinion request to the Law Department as to whether the budget justification report is actually what Council vote on as part of the budget; and including but not limited to reminder of AIDS Walk this upcoming weekend, which City Council is not only sponsoring but also supporting the event through participation.

ADJOURNMENT

Upon a motion of Council Member Williams, seconded by Council Member Dixon, Council adjourned at 7:55 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk