

*City of Wilmington  
Louis L. Redding  
City/County Building  
December 5, 2013*

Council met in regular session on the above date at 6:30 p.m., President Pro Tempore Loretta Walsh presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

### **ROLL CALL**

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright, and Madame President Walsh. Total, twelve. Absent, Council President Gregory. Total, one.

A moment of silence was given in memory of Nelson R. Mandela.

### **MINUTES**

After reading a portion of the minutes of November 21, 2013, upon a motion of Mr. Freel, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

There was no committee reports presented this evening.

### **TREASURER'S REPORT**

The following Treasurer's Report dated December 5, 2013 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

*[This space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON December 5, 2013

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,527.81
105	Police Pension Account	M & T Bank	\$ 207.38
106	Fire Pension Account	M & T Bank	\$ 4,684.35
107	Evidence/Found Currency Account	M & T Bank	\$ 125,657.85
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 2,739.42
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 141,477.03
117	Cement Workers	Wilmington Savings Fund	\$ 33,366.89
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.24
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 3,010.18
130	Payroll	M & T Bank	\$ 65,709.32
131	Pension Payroll Account	M & T Bank	\$ 43,607.05
139	Pension Healthcare Account	M & T Bank	\$ <u>1,213.08</u>
	Total Cash on Hand		\$ <b>441,634.27</b>

*[This space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	12/05/13	0.01%	\$ 1.57	\$ 5,698,843.00
110	Capital <sup>2</sup>	TD	CD	12/06/13	0.25%	\$ 57.72	\$ 240,736.45
116	General	WSFS	CD	12/13/13	0.30%	\$ 1,775.34	\$ 2,000,000.00
116	General	WSFS	CD	12/27/13	0.30%	\$ 2,005.47	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	12/27/13	0.30%	\$ 1,415.38	\$ 5,555,000.00
106	Fire Pension	WSFS	CD	12/27/13	0.30%	\$ 425.51	\$ 1,670,000.00
116	General <sup>1</sup>	TD	CD	01/06/14	0.25%	\$ 9,061.12	\$ 14,537,615.00
116	General	WSFS	CD	01/10/14	0.30%	\$ 2,219.17	\$ 2,000,000.00
116	General	WSFS	CD	01/24/14	0.30%	\$ 2,449.31	\$ 2,000,000.00
110	Capital	WSFS	CD	02/05/14	0.30%	\$ 18,105.54	\$ 24,476,000.00
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
110	Capital	WSFS	CD	02/19/14	0.30%	\$ 2,515.07	\$ 3,400,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	03/03/14	0.25%	\$ 949.44	\$ 1,540,195.00
116	General	TD	CD	03/07/14	0.25%	\$ 2,520.55	\$ 2,000,000.00
116	General	TD	CD	03/21/14	0.25%	\$ 2,424.66	\$ 2,000,000.00
116	General	WSFS	CD	04/01/14	0.30%	\$ 2,576.71	\$ 1,900,000.00
116	General	TD	CD	04/04/14	0.25%	\$ 2,232.88	\$ 2,000,000.00
116	General	WSFS	CD	04/17/14	0.30%	\$ 2,745.20	\$ 2,000,000.00
116	General	TD	CD	04/25/14	0.25%	\$ 1,816.44	\$ 1,700,000.00
116	General	WSFS	CD	06/10/14	0.30%	\$ 2,260.27	\$ 1,375,000.00
514	Risk Management	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
515	Worker's Comp.	WSFS	CD	07/11/14	0.30%	\$ 8,687.31	\$ 2,895,775.55
104	Escrow Pension	Affinity Wealth					\$ 1,499,168.00
104	Escrow Pension	Vanguard					\$ 21,026,580.00
104	Escrow Pension	Black Rock					\$ 54,551,296.00
104	Escrow Pension	Edgar Lomax					\$ 30,415,825.00
104	Escrow Pension	Wilmington Trust					\$ 35,085,552.00
104	Escrow Pension	Manning & Napier					\$ 22,569,521.00
104	Escrow Pension	Earnest Partners					\$ 13,699,328.00
104	Escrow Pension	GMO					\$ 11,477,987.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,342,601.00
116	Deferred Comp.	MassMutual					\$ 36,555,735.00
	Total Investments						\$ 326,108,533.55
	Total Cash on Hand						\$ 441,634.27
	Grand Total						\$ 326,550,167.82

<sup>1</sup> Budget Reserve

<sup>2</sup> Lincoln Towers BAN

<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

**NON-LEGISLATIVE BUSINESS**

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

M. Brown	Sympathy Alease Lilly
Chukwuocha	Recognize Youth Participants of Duffy's Hope
Prado	Retirement Michael R. BundeK
Shabazz	Welcome Miles Jaye Davis

Upon a motion of Mr. M. Brown, seconded by Mr. Williams/Ms. Shabazz, Council suspended the rules in order to give a moment of silence in memory of Minerva Marrero. Motion prevailed.

**LEGISLATIVE BUSINESS**

Madame President Walsh: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Madame President. Thank you.

Madame President Walsh: Thank you. Mr. Congo.

Mr. Congo: Nothing tonight. Thank you.

Madame President Walsh: Thank you. Mr. Darius Brown.

Mr. D. Brown: Yes Madame President, I have an Ordinance to present.

Mr. D. Brown presented and called for the first and second reading Ordinance No. 13-044 entitled:

AN ORDINANCE TO AMEND CHAPTER 35 OF THE  
CITY CODE REGARDING CIVIL RIGHTS COMMISSION

This Ordinance was given two separate readings by title only and upon a motion of Mr. D. Brown, seconded by Mr. Williams, was received, recorded, and referred to the Education, Youth & Families Committee. Motion prevailed.

Madame President Walsh: Anything further?

Mr. D. Brown: Nothing else Madame President.

Madame President: You had your power tie on tonight so I thought maybe you had a couple other things on your desk.

Mr. D. Brown: Just power.

Madame President Walsh: Alright senator, thank you. Ms. Shabazz.

Ms. Shabazz: Yes Madame President, I have two Resolutions to present.

Ms. Shabazz presented Resolution No. 13-073 as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the “Second Amendment to License Agreement” between the **CITY OF WILMINGTON**, a municipal corporation of the State of Delaware, and **NEW CINGULAR WIRELESS PCS, LLC**, a Delaware limited liability company (“Cingular”), to continue to permit Cingular to operate and maintain personal communications equipment (including up to twelve antennas) on the City water tower located at 200 Presidential Drive, Greenville, Delaware (also known as Monroe Park), a copy of which, in substantial form, is attached hereto and made a part hereof, is hereby approved, and the Mayor or his designee and City Clerk are hereby authorized to execute as many copies of said Second Amendment to License Agreement as may be necessary.

Ms. Shabazz: Yes, this Resolution is being presented for Council’s review and approval that would authorize the city to amend an existing agreement that permits Cingular Wireless PCS, LLC, to operate and maintain communications equipment at our city-owned water towers on Presidential Drive in Greenville. The term of the amendment is five-years beginning August 9, 2012 with one additional extension period of five-years and this Cingular Wireless will pay the city \$1,800 a month or approximately \$21,600 for the first five-years with there being a monthly payment to this the city with the increase annually by three percent.

Madame President Walsh: Council Member Mr. Darius Brown.

Mr. D. Brown: Thank you Madame President. Is there any community benefit to this contract like maybe supporting technology with Wilmington PD or around public safety or anything like that that’s a part of this?

Ms. Shabazz: Nothing of that nature was brought out in discussion in the committee.

Mr. D. Brown: Okay.

Madame President Walsh: Anyone else? Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the above aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M.

Brown, Cabrera, Wright, and Madame President Walsh. Total, twelve. Nays, none. Absent, Council President Gregory. Total, one.

Madame President Walsh: Resolution declared passed. You have another Resolution?

Ms. Shabazz: I do. I have another Resolution to present.

Ms. Shabazz presented Resolution No. 13-074 as follows:

**WHEREAS**, the City of Wilmington is now experiencing a pandemic of gun violence and homicides among young African American males; and

**WHEREAS**, according to a State of Delaware Criminal Justice Council Study of "Delaware Shootings 2012", it identified 196 shooting incidents in which the City of Wilmington accounted for more than 51.5% of state-wide incidents and more than 58.1% resulted in fatality; and

**WHEREAS**, the Study further found that African American males comprised 85.5% of all shooting suspects, with an average age of 23.9 years; and

**WHEREAS**, children and youth constantly exposed to gun violence may experience negative psychological effects of anger, post-traumatic stress, withdrawal and desensitization to violence; and

**WHEREAS**, it has become obvious that the negative psychological effects are plaguing the City of Wilmington through a continued cycle of violence; and

**WHEREAS**, it is imperative that national attention be given to the violence that plagues the lives of especially young African American males;

**WHEREAS**, the Centers for Disease Control and Prevention has a charge to protect America from health and safety threats in order to increase the health security of our nation, and now is such a time for Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the City Council respectfully requests that the Centers for Disease Control and Prevention examine and respond to the current surge in gun violence and help mitigate the effects it has on our children and youth throughout the City of Wilmington.

Ms. Shabazz: Yes Madame President, this Resolution is requesting that the federal government Department of Health and Human Services through the Centers for Disease Control and Prevention study the increasing gun violence among African American males in Wilmington, Delaware. The Resolution is focusing on the surge of gun violence and its impact on the City of Wilmington. I think today when we had - - just the presentation today with Duffy's Hope that they saw with dealing with young people on a consistent basis, they saw the need of addressing the trauma that our young people are dealing with. There is a well known fact that the African American community here in the United States of America is still suffering from a traumatic syndrome of slavery and so that compounded with the many effects that are happening in today's society with our young people, the things that they are seeing that there is definitely a shift of its mental capacity to make good decisions in resulting in the gun

violence. Last year, Madame President, I did a Resolution requesting that a study be done on this exact point and with the hope that we would get some response that would send more support to address the ill affect and not gear towards mental illness that our young people are suffering for them just to be able to take life so aimlessly.

I'd like to ask everyone, I don't know if they saw the movie "The Twelve Years of Slavery", there was a scene there where the (inaudible) was left hanging all day long and he had to stand on his tippy toes to survive until someone cut him down and in that scene you saw the many other enslaved individuals who just went about their business as they saw that trauma. The children just played as if there was nothing else happening. But that mentally is still going on in our community today. We're asking that the CDC come into the City of Wilmington and evaluate what is causing this because it's not a natural phenomenal. That is not the nature of the African American to act in self destruction. So they would come into our community and address the issues, support programs like Duffy's Hope that it took the young people that were here today and address the trauma that they're suffering with so they can forth and have a good quality of life. I ask that my colleagues see the value of this and that they support this support and we hope that as they did the lower Delaware, their CDC came and examined the situation of the suicide that were occurring among teens in lower Delaware, that they see the same importance of doing that here with the homicides that we're suffering from and they come and give us some solutions and resources because that's main what's necessary to address from a grass root perspective as Duffy is doing. So that we can turn our children around and that we can continue on the development in the City of Wilmington.

Madame President Walsh: Thank you Council Member. Council Member Williams.

Mr. Williams: Thank you Ms. President. I'm going to try to speak as clearly as I can. I've lost my voice today. I want to be a co-sponsor on this if that's okay with the sponsor.

Ms. Shabazz: Absolutely.

City Clerk Seijo: So noted.

Mr. Williams: My theory is this. We're (inaudible) take any means necessary to try and resolve this conflict. And, that means reaching out to any entity, federal, local or state to help us to understand what's going on in our city. So, I support this because we need answers. We need any answer that we can get our (inaudible). Thank you.

Madame President Walsh: Thank you. Council Member Dorsey Walker.

Ms. Dorsey Walker: Thank you Madame Chair. I concur with both Councilwoman Shabazz as well as Councilman Williams and I too with the permission of Councilwoman Shabazz, I would like to be a co-sponsor on this legislation.

Ms. Shabazz: Certainly.

City Clerk Seijo: So noted.

Ms. Dorsey Walker: Thank you.

Madame President Walsh: Council Member Cabrera.

Ms. Cabrera: I too would like to be added and I liked what you said...

City Clerk Seijo: So noted.

Ms. Cabrera: ...it's an unnatural phenomenon and we do need to deal with this.

Madame President Walsh: Council Member Wright.

Mr. Wright: Can you add me too please?

Madame President Walsh: Yes.

City Clerk Seijo: So noted.

Mr. Wright: Co-sponsor.

Madame President Walsh: Yes, Council Member Chukwuocha.

Mr. Chukwuocha: I also would like to be added as a co-sponsor and I agree with my colleagues that as much attention that we can bring to this issue would behoove our city and hopefully bring the needed resources and support to allow us to address this issue for our children. Thank you.

Madame President Walsh: Thank you. I would like to be added also please if it's agreeable with the sponsor.

City Clerk Seijo: So noted.

Mr. M. Brown: Madame President, so would I.

Madame President Walsh: Council Member Michael Brown.



Mr. M. Brown: Senior.

Madame President Walsh: Senior. Okay, Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the above aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Wright, and Madame President Walsh. Total, twelve. Nays, none. Absent, Council President Gregory. Total, one.

Madame President Walsh: Declare it passed. Thank you. We're still on legislation, Mr. Prado.

Mr. Prado: Nothing tonight Madame President.

Madame President Walsh: Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Madame President. Thank you.

Madame President Walsh: Mr. Williams.

Mr. Williams: Thank you, nothing tonight.

Madame President Walsh: Mr. Freel.

Mr. Freel: Nothing tonight. Thank you.

Madame President Walsh: Mr. Michael Brown.

Mr. M. Brown: Yes Madame President, nothing tonight. Thank you.

Madame President Walsh: Thank you. Mr. Wright.

Mr. Wright: Nothing tonight. Thank you.

Madame President Walsh: Thank you.

Mr. Wright: Ms. Cabrera – I mean.

Ms. Cabrera: Nothing this evening Madame Chair, President.

Madame President Walsh: I did skip you, didn't I? I'm sorry.

Ms. Cabrera: You did.

Madame President Walsh: Thank you Ms. Cabrera for understanding. That was all the legislation we have. We will go now to communications and if everyone doesn't mind, I will go first.

### PETITIONS AND COMMUNICATIONS

Council Members announced committee and civic meetings, community events and community projects in their districts. Council Members expressed sympathies to individuals in their districts including but not limited to Ms. Minerva Marrero who was a city employee for many years. Council Members gave thanks to various departments and individuals for assisting with resolving matters and/or assisting with events. Council Members made comments on the following matters: the need for minimum wage pay to be increased; donations needed for Toys for Tots; retirement of Master Corporal Alvin Boardley; free parking downtown until December 31<sup>st</sup>; the ongoing crime and shootings occurring in the City of Wilmington and the need for the City to work together with the state, county and courts and including but not limited to the need for the News Journal to publish some positive things taking place in the City and not just the negative issues.

Mr. Michael Brown presented the following communication into the record, which is incorporated herein on Page 11:

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## City of Wilmington

Michael A. Brown, Sr.  
City Council Member At Large

Louis L. Redding City/County Building  
800 N. French Street  
Wilmington, Delaware 19801-3537

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December 4, 2013

The Honorable Charles M. Oberly, III  
U.S. Attorney's Office  
1007 Orange Street  
Suite 700  
Wilmington, DE 19801

Dear Mr. Oberly:

I am writing you this letter to inquire on the status of the Federal Enforcement and Detention/Urban Policing Program, also known as Operation FED UP.

As you are well aware, this joint law enforcement initiative between the City of Wilmington and the US Attorney's Office was highly successful in its efforts to prosecute criminals unlawfully possessing firearms, and thereby reducing gun violence in our City.

In a recent meeting with City Solicitor Michael Migliore and Public Safety Consultant Richard Iardella, I was told that Operation FED UP no longer exist as we knew it, and that it is now titled the Wilmington Initiative. Further statements were made to indicate that FED UP was renamed due to its negative perception with the judiciary.

I know that you have been a long proponent of Operation FED UP, and I would like to personally thank you for your cooperation over the years. Could you provide clarification on the status of the program and how it's managed today?

Thank you in advance for your attention to this matter and I look forward to hearing from you soon.

Regards,

Michael A. Brown, Sr.  
Public Safety Committee Chair

Committee Chair  
Public Safety

Committee Member  
Education, Youth & Families  
Finance  
Public Works & Transportation  
Wilmington Cable, Video and Telecommunications Commission

Residence  
700 S. Rodney Street  
Wilmington, Delaware 19805  
phone (302) 655-5309

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

**ADJOURNMENT**

Upon a motion of Mr. Freel, seconded by Mr. Williams, Council  
adjourned at 7:44 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk