

*Louis L. Redding  
City/County Building  
October 17, 2013*

Council met in regular session on the above date at 6:30 p.m., President Theopalis K. Gregory, Sr. presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

**ROLL CALL**

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

**MINUTES**

After reading a portion of the minutes of October 3, 2013, upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. Prado, it was moved they be accepted as written. Motion prevailed.

**REPORT OF COMMITTEES**

Ms. Walsh presented the following committee report:

<b><u>Housing, Licenses &amp; Inspections Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Samuel Prado	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Nnamdi O. Chukwuocha		X	
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

October 2, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Housing, Licenses & Inspections Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-034** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF “THE INTERNATIONAL CODE COUNCIL OF 2012”, THE INTERNATIONAL BUILDING AND RESIDENTIAL CODES AND AMENDMENTS TO BE SET FORTH IN CHAPTER 4 OF THE CITY CODE AS THE CITY’S BUILDING, MECHANICAL AND PLUMBING CODES

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

Respectfully submitted, Members of  
Housing, Licenses & Inspections Committee  
/s/Samuel Prado, Chair  
/s/Darius J. Brown  
/s/Maria D. Cabrera  
/s/Hanifa Shabazz  
/s/Sherry Dorsey Walker  
/s/Theopalis K. Gregory, Sr., Ex Officio

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

Mr. Chukwuocha presented the following committee report:

<u>Education, Youth &amp; Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.	X		
Maria D. Cabrera	X		
Ernest “Trippi” Congo, II			X
Hanifa G.N. Shabazz	X		
Sherry Dorsey Walker	X		

October 9, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 4:30 p.m., Chairman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Discuss a Resolution for the Department of Parks and Recreation to accept funding for the 2014 Child and Adult Care Food Program
- Delaware MET presentation by Amy Cantymagli
- Update on WHACC and the Youth Leadership Commission by Dr. Tonia Perry-Conley and Darion Gray
- “Bullying, Children’s Safety and Parenting” presentation by Michael Graves
- New Castle Charter School Expo presentation by the Delaware Charter School Network

Respectfully submitted, Members of  
 Education, Youth & Families Committee  
 /s/Nnamdi O. Chukwuocha, Chair  
 /s/Michael A. Brown, Sr.  
 /s/Maria D. Cabrera  
 /s/Hanifa Shabazz  
 /s/Sherry Dorsey Walker  
 /s/Theopalis K. Gregory, Sr., Ex Officio

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

Mr. M. Brown presented the following committee report:

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

October 10, 2013

President and Members of Council of  
 The City of Wilmington

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 4:30 p.m., Councilman Michael A. Brown, Sr. presiding. The following items were discussed:

- Emergency Management:
  1. Emergency Management Update
  2. Active Shooter Exercise Update
  3. Other
  
- Fire:
  1. Lincoln Tower Firehouse Update
  2. Other
  
- Police:
  1. Police Crime Stats Update
  2. Police Initiatives Update
  3. Other

Respectfully submitted, Members of  
Public Safety Committee  
/s/Michael A. Brown, Sr., Chair  
/s/Robert A. Williams

**\*Note:** Upon a motion and duly seconded, the above aforementioned Public Safety Committee Report was amended as Councilwoman Walsh stated that she was absent with leave and is hereby reflected on the above aforementioned Report herein, received, recorded and filed. Motion prevailed.

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

October 14, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 4:30 p.m., Councilwoman Loretta Walsh presiding. The following item was discussed:

- An Update on the Department of Urban and Economic Development

Respectfully submitted, Members of  
 Community and Economic Development Committee  
 /s/Loretta Walsh, Chair  
 /s/Darius J. Brown  
 /s/Maria D. Cabrera  
 /s/Sherry Dorsey Walker  
 /s/Justen A. Wright

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

**TREASURER’S REPORT**

The following Treasurer’s Report dated October 17, 2013 was read into the record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON October 17, 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	\$ 2,866.05
106	Fire Pension Account	M & T Bank	\$ 3,119.12
107	Evidence/Found Currency Account	M & T Bank	\$ 143,906.70
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	\$ 256,444.73
117	Cement Workers	Wilmington Savings Fund	\$ 33,363.04
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	\$ 22,874.95
130	Payroll	M & T Bank	\$ 159,034.36
131	Pension Payroll Account	M & T Bank	\$ 46,418.75
139	Pension Healthcare Account	M & T Bank	\$ <u>924.66</u>
	Total Cash on Hand		\$ <b>691,653.50</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	10/17/13	0.01%	\$ 2.10	\$ 5,644,946.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 1,265.75	\$ 2,200,000.00
116	General	WSFS	CD	10/18/13	0.30%	\$ 437.26	\$ 1,900,000.00
105	Police Pension	WSFS	CD	10/29/13	0.30%	\$ 88.11	\$ 335,000.00
106	Fire Pension	WSFS	CD	10/29/13	0.30%	\$ 449.75	\$ 1,710,000.00
124	Non-Uniform 1990	WSFS	CD	10/29/13	0.30%	\$ 1,375.56	\$ 5,230,000.00
116	General	WSFS	CD	10/31/13	0.30%	\$ 1,767.12	\$ 2,500,000.00
116	General	WSFS	CD	11/01/13	0.30%	\$ 1,380.82	\$ 2,000,000.00
110	Capital <sup>2</sup>	TD	CD	11/01/13	0.25%	\$ 57.70	\$ 240,678.75
110	Capital	WSFS	CD	11/07/13	0.30%	\$ 20,117.26	\$ 24,476,000.00
116	General	WSFS	CD	11/15/13	0.30%	\$ 1,446.57	\$ 2,000,000.00
110	Capital	WSFS	CD	11/21/13	0.30%	\$ 2,375.34	\$ 3,400,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 2,391.78	\$ 3,000,000.00
116	General	TD	CD	11/27/13	0.25%	\$ 1,438.36	\$ 3,000,000.00
116	General	WSFS	CD	11/27/13	0.30%	\$ 1,735.89	\$ 2,200,000.00
110	Capital <sup>3</sup>	TD	CD	12/03/13	0.25%	\$ 749.00	\$ 1,540,195.00
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
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
116	General	TD	CD	02/07/14	0.25%	\$ 2,205.48	\$ 2,000,000.00
116	General	TD	CD	02/21/14	0.25%	\$ 2,397.26	\$ 2,000,000.00
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
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					\$ 1,498,977.00
104	Escrow Pension	Vanguard					\$ 20,190,680.00
104	Escrow Pension	Black Rock					\$ 53,259,825.00
104	Escrow Pension	Edgar Lomax					\$ 29,023,467.00
104	Escrow Pension	Wilmington Trust					\$ 34,895,949.00
104	Escrow Pension	Manning & Napier					\$ 21,875,704.00
104	Escrow Pension	Earnest Partners					\$ 13,169,059.00
104	Escrow Pension	GMO					\$ 11,148,358.00
139	Medical Escrow	Black Rock-OPEB					\$ 11,100,711.00
116	Deferred Comp.	MassMutual					\$ 35,818,876.00
	Total Investments						\$ 329,687,591.85
	Total Cash on Hand						\$ 691,653.50
	Grand Total						\$ 330,379,245.35

<sup>1</sup> Budget Reserve

<sup>2</sup> Lincoln Towers BAN

<sup>3</sup> SEU

/s/Henry W. Supinski  
City Treasurer

**\*\*Note:** At this time, Mr. Wright was marked present and reflected in the minutes herein (Roll Call).

**NON-LEGISLATIVE BUSINESS**

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

All Council	Recognize 2013 Thomas J. Moyer Achievement Awards Honorees
Cabrera/Council	Sympathy former City Council Member Antonio Resto
Cabrera	Commend Katherine L. Esterly, MD
Cabrera	Appreciation Episcopal Diocese of Delaware, Trinity Episcopal Parish and Diocese of Mexico (Joint Special Service)
Chukwuocha	Recognize Julian Jackson
Gregory/M. Brown	Recognize The Abundant Life Apostolic Church and Best Wishes Pastor Leonard Briddell, Jr.'s 60 <sup>th</sup> Birthday
Shabazz	Sympathy Brenda Dryden
Walsh	Recognize Helen Riley 25 <sup>th</sup> Anniversary at St. Michael's School

**LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Yes Mr. President. I have a Resolution to present.

Mr. Chukwuocha presented Resolution No. 13-061 as follows:

**WHEREAS**, pursuant to Section 2-363 of the Code of the City of Wilmington ("City"), the City may apply for and receive grant funds to be used for a wide variety of City activities, subject to the approval of City Council; and

**WHEREAS**, the City has been approved by the Department of Education for the State of Delaware to receive approximately \$500,000.00 in grant funds from the Federal government for the operation and cost of the Child and Adult Care Food Program (the "Food Program"), which is set to run from October 1, 2013 through September 30, 2014; and

**WHEREAS**, although the City is not required to provide matching funds for receipt of these grant funds, the City is initially required to pay the Food Program vendor with City funds and is then reimbursed by the Federal government through the State of Delaware for the payments. Importantly, there will be no net financial impact on the City, provided the City complies with all Federal and State requirements attached to the Food Program; and

**WHEREAS**, the City has prepared a request for proposal relating to the Child and Adult Care Food Program for vendors to submit bids to provide meals to eligible participants in the Food Program; and

WHEREAS, the Department of Parks and Recreation has recommended that City Council approve the City's use of the grant funds for the Food Program in accordance with the terms of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the use of the herein described Federal grant funds received from the State of Delaware for the Program be accepted and approved, and the Mayor or his designee, and the City Clerk are hereby authorized and directed to execute any and all appropriate grant documents or other undertakings pursuant thereto as may be necessary.

Mr. Chukwuocha: Yes Mr. President. This is a Resolution for I believe it's twice a year through Parks & Recreation's program to receive a grant which covers the summer and winter feeding program. I believe its 300, I mean 30 sites and they feed 1200 youth per day and there's no cost to the city as long as we meet the guidelines. It's fully reimbursable. So, as long as we meet the guidelines, there's no cost to the city.

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

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

President Gregory: Declare it adopted. Mr. Congo.

Mr. Congo: Nothing tonight Mr. President. Thank you.

President Gregory: Mr. Darius Brown.

Mr. D. Brown: Thank you Mr. President, nothing tonight.

President Gregory: Ms. Shabazz. Mr. Prado.

Mr. Prado: Mr. President, I have an Ordinance to present and call for the third and final reading.

Mr. Prado presented and called for the third and final reading Ordinance No. 13-034 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO APPROVE THE ADOPTION OF "THE INTERNATIONAL CODE COUNCIL OF 2012", THE INTERNATIONAL BUILDING, AND RESIDENTIAL



CODES AND AMENDMENTS TO BE SET FORTH IN  
CHAPTER 4 OF THE CITY CODE AS THE CITY'S  
BUILDING, MECHANICAL AND PLUMBING CODES

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

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY  
CODE TO APPROVE THE ADOPTION OF "THE  
INTERNATIONAL CODE COUNCIL OF 2012", THE  
INTERNATIONAL BUILDING, AND RESIDENTIAL  
CODES AND AMENDMENTS TO BE SET FORTH IN  
CHAPTER 4 OF THE CITY CODE AS THE CITY'S  
BUILDING, MECHANICAL AND PLUMBING CODES

Mr. Prado: Yes Mr. President, this is something that Licenses & Inspections have been wanting to do for awhile. It's going to overhaul the Code to bring it up to the - - its call "The International Code Council" and this adopted by not just the United States but also in Europe and Australia. Things are going to be pretty much the same. There is one thing that really stands out though and that would be new construction would require sprinklers whether that be home or business or whatever new construction and if somebody is going to do a remodeling. If it's 75% or more, that would require sprinklers too. So those are the two issues that kind of you know stuck out. I will say this thought, this is not like set and stone this document. So, I've talked to the Commissioner and we can amend it as time goes by if it proves to be too much on the City of Wilmington. But, I'm not against sprinklers but we have to see how this plays out as we implement it but I know that might be a sticking point for some folks.

President Gregory: Councilwoman Walsh.

Ms. Walsh: Yes, I think that you know we're a city that we're constantly complaining about our vacant houses and trying to get people to get in to rehab them, I think for an average Joe Blow or Jane Blow whose out there who might want to consider rehabbing a house in the City of Wilmington that needs a fair amount of rehabilitation, this would be a breaking point for them because putting sprinkler systems into anything can be very cost prohibitive. And, I just don't think it's good and my contingent is always if you can amend things down the road then why are you passing them now? Like, why are you going wait until it becomes a really big problem and then say, "Oh, we should have done it differently".

President Gregory: One of the issues that came up in the committee and it was a very good committee meeting, was whether or not this had been vetted by the industry or various stakeholders who would in this - - I don't know if - - it was not vetted before that committee meeting, I don't know if it's been vetted since that committee meeting...

Mr. Prado: Even if...Mr. President, can I speak? I'm thinking it might be a good idea to hold this because I don't think it's been quite you know vetted enough with the industry and actually Mr. Freel brought up a good point, like I haven't - - actually I haven't discussed it with some of the non-profits that do this rehab work like Cornerstone and Habitat. So, I think that maybe it might be a good idea to hold for tonight and maybe not move forward with it.

Although Mr. Prado moved the above aforementioned Ordinance and duly seconded by Ms. Walsh, after some discussion, as noted above, Mr. Prado **held** Substitute No. 1 to Ordinance No. 13-034.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Thank you Mr. President, nothing for tonight.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President, nothing tonight.

President Gregory: Mr. Freel.

Mr. Freel: Nothing, thank you sir.

President Gregory: Mr. Michael Brown.

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

President Gregory: Ms. Walsh.

Ms. Walsh: No legislation Mr. President.

President Gregory: Mr. Wright.

Mr. Wright: Nothing, thank you sir.

### **PETITIONS AND COMMUNICATIONS**

Council Members announced committee and civic meetings, community events, birthday wishes and community projects in their districts. Council Members expressed their sympathies to the family of former Councilman Antonio Resto. Council Members expressed concerns of the ongoing crime in the City of Wilmington and expressed interest in knowing what the Mayor's public safety plan is.

Council Members made comments regarding the following matters including but not limited to: efforts in getting the Skate Park done; Mayor's Task Force as it relates to William "Hicks" Anderson Center; the need for shot spotters and also the need of police attention in all communities not just in the downtown area.

Boy Scout Jack Bulk of Troop 29 was recognized in the audience as well as Darion Gray who attended the Council meeting with a group of youth.

**ADJOURNMENT**

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 7:19 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk