

*Wilmington, Delaware
Louis L. Redding
City/County Building
June 6, 2019*

City Council met in regular session on the above date at 6:30 p.m., President Pro Tempore Ernest “Trippi” Congo, II 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 Gray, Congo, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy. Total, eleven. Absent, President Shabazz and absent with leave, Council Member Walsh. Total, two.

MINUTES

After reading a portion of the minutes of May 16, 2019, upon a motion of Council Member Freel, seconded by Council Members Williams and Gray, it was moved they be accepted as written. Motion prevailed. In addition, after reading a portion of the *special* minutes of May 21, 2019, upon a motion of Council Member Freel, seconded by Council Members Williams Gray, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Yolanda McCoy, Vice-Chair	X		
Ernest “Trippi” Congo, II			X
Zanthia Oliver	X		
Va’Shun “Vash” Turner	X		
Dr. Hanifa Shabazz, Ex-Officio	X		
Linda M. Gray	X		

President and Members of Council of
The City of Wilmington

May 9, 2019 (2nd Meeting)

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Substitute to No. 1 to Ordinance No. 18-056** entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE
REGARDING BUSINESSES

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

Respectfully submitted, Members of
Community Development & Urban Planning Committee
/s/Rysheema Dixon, Chair
/s/Yolanda McCoy, Vice Chair
/s/Zanthia Oliver
/s/Va' Shun "Vash" Turner
/s/Hanifa Shabazz, Ex Officio Member

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

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

May 29, 2019

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Substitute No. 1 to Ordinance No. 19-026** entitled:

AN ORDINANCE TO AMEND CHAPTERS 4, 5 AND 34 OF THE CITY
CODE TO INCREASE THE RENTAL DWELLING UNIT BUSINESS
LICENSE FEE; PROVIDE FOR CIVIL FINES FOR OWNERS OF
RENTAL PROPERTIES AND VACANT PROPERTIES; AND INCREASE
VACANT REGISTRATION FEES

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

Respectfully submitted, Members of
Finance & Economic Development Committee
/s/Charles M. Freel, Chair
/s/Robert A. Williams

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

Council Member Guy: Mr. Chair.

President Pro Temp Congo: Yes, Council Member.

Council Member Guy: Yes, on the question. Yes, on the question, um, this was the – this Report comes out of a meeting where um, it was a heavily attended meeting, the public was here, lots of members of the public – they had concerns about certain things that took place, plus members of Council had concerns about how it was approved. I think there were only three members of Council present and Councilman Williams made a motion, um to release it from committee and his motion was not seconded. So, under those set of circumstances there was then what I call a control in the chair move where the Chair then made a motion. Well, the motion from Councilman Williams didn't have a second. So, my position is that ah, I make a motion that we send this Committee Report back to that committee. That's my motion if anybody would second it.

Council Member Turner: Second.

Council Member Gray: I'll second it. I'll second it.

President Pro Temp Congo: Its been moved and seconded that this Committee Report be moved back to committee. All in favor signify by saying "Aye", Opposed (Freel and Williams). Ayes win, this will be moved – sent back to committee. Councilman Turner, did you have a comment on the question?

Council Member Freel: We've already voted.

President Pro Temp Congo: Any further committee reports? City Treasurer's Report.

TREASURER'S REPORT

The following Treasurer's Report as of June 6, 2019, 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.

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 June 6, 2019


Cash on Hand:

General Account	M & T Bank	\$8,084,453.85
Central Deposit	M & T Bank	\$138,491.34
Payroll	M & T Bank	\$3,994,870.54
Total Petty Cash Accounts	M & T Bank	\$10,750.31
Grant-In-Aid	M & T Bank	\$154,656.55
Evidence/Found Currency Account	M & T Bank	\$983,832.87
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,627.71
Police Department Discretionary	M & T Bank	\$25,023.50
Pension Payroll Account	M & T Bank	\$86,364.92
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,903.79
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$23,056.51
Police Pension Account	M & T Bank	\$2,006.91
Fire Pension Account	M & T Bank	\$334.45
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$517,748.63
SubTotal		\$14,087,853.66
Total Cash on Hand		\$14,087,853.66

INVESTMENTS June 6, 2019:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	WSFS	CD	6/6/2019	2.35%	\$9,657.53	\$3,000,000.00
General	WSFS	CD	6/19/2019	2.40%	\$14,498.63	\$3,500,000.00
General	WSFS	CD	6/27/2019	2.35%	\$10,462.32	\$2,500,000.00
General	TD	CD	7/2/2019	2.23%	\$8,797.40	\$3,021,718.05
General	TD	CD	7/2/2019	2.35%	\$4,308.33	\$2,000,000.00
General	WSFS	CD	7/11/2019	2.35%	\$7,210.96	\$2,000,000.00
General	WSFS	CD	7/18/2019	2.40%	\$19,791.78	\$3,500,000.00
General	WSFS	CD	7/25/2019	2.35%	\$9,013.70	\$2,000,000.00
General	TD	CD	9/26/2019	2.31%	\$41,997.08	\$5,500,000.00
General ¹	WSFS	CD	11/13/2019	2.45%	\$221,372.60	\$17,000,000.00
SUB-TOTAL:						\$44,021,718.05
CAPITAL FUND:						
Capital ≤ 2015	TD	CD	7/18/2019	2.34%	\$69,317.57	\$16,610,367.37
Capital ≥ 2018	WSFS	CD	6/26/2019	2.45%	\$94,357.27	\$20,081,867.00
SUB-TOTAL:						\$36,692,234.37
RISK MGMT:						
Risk Management	TD	CD	7/1/2019	2.41%	\$142,446.01	\$8,059,939.96
Worker's Comp	TD	CD	7/1/2019	2.41%	\$142,446.01	\$8,059,939.96
Retiree Medical Escrow	Vanguard-OPEB					\$22,143,762.00
SUB-TOTAL:						\$38,263,641.92
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	6/27/2019	2.30%	\$8,963.38	\$4,905,000.00
Fire	WSFS	CD	6/27/2019	2.30%	\$2,841.60	\$1,555,000.00
Escrow Pension	Edgar Lomax					\$22,832,536.00
Escrow Pension	Vanguard Fixed					\$38,330,590.00
Escrow Pension	Earnest Partners					\$24,398,914.00
Escrow Pension	Wilmington Trust					\$35,269,822.00
Escrow Pension	Vanguard Stock Index					\$38,360,566.00
Escrow Pension	Artisan Global					\$7,537,954.00
Escrow Pension	Dodge & Cox					\$11,320,132.00
Escrow Pension	Fidelity					\$19,179,020.00
Escrow Pension	Harding Loevner					\$8,685,896.00
Escrow Pension	MFS Management					\$21,524,551.00
Escrow Pension	Clarion Lyon					\$6,221,101.00
Escrow Pension	Morgan Stanley					\$5,873,624.00
SUB-TOTAL:						\$245,994,706.00
OTHER:						
Deferred Comp.	MassMutual					\$47,056,447.95
Contractual Requirements	WSFS	CD	8/15/2019	2.35%	17,795.58	\$3,037,356.74
Port Debt	WSFS	CD	6/6/2019	2.40%	\$22,284.93	\$2,548,246.00
Total Investments						\$414,576,994.29
Total Cash on Hand						\$14,087,853.66
Grand Total						\$428,664,847.95

¹ Budget Reserve


 Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Donn Devine
All Council	Sympathy William DeLauder
All Council	Recognize June 2019 as Re-Entry Month
Freel	Recognize MOMS Demand Action
Guy	Recognize National Association for Black Veterans, Inc. – 50 th Anniversary
Harlee	Sympathy Bernard A. Jenkins
Oliver	Sympathy Lucy Ann Whitfield
Oliver	Recognize Sons of Union Veterans – Appomattox Camp 2
Oliver	Sympathy Elaine Rush
Oliver	Recognize Wilmington Veterans Group
Shabazz	Recognize Master Kenneth Everett – Goju-Robics
Shabazz	Recognize St. Michaels School & Nursery, Children’s Laughter Learning Academy, June Bug’s Little Rubies and Nolan’s Learning Academy (National Provider Appreciation Day)
Turner	Recognize St. Paul’s Church – 150 th Year Anniversary

LEGISLATIVE BUSINESS

President Pro Temp Congo: Council Member Gray.

Council Member Gray: I don’t have any. Nothing tonight.

President Pro Temp Congo: Council Member Oliver.

Council Member Oliver: Yes Mr. President, I have a Resolution to present.

Council Member Oliver presented Resolution No. 19-020 (Agenda #4660) as follows:

WHEREAS, pursuant to 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) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Department of Real Estate and Housing; 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 surplus, by resolution of City Council, the City 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 two parcels of real estate located at 1124 East Seventh Street, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-044.00-012, and 1112 East Seventh Street, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-044.00-010 (collectively, the "Property"); and

WHEREAS, the City currently leases the Property to the Kalmar Nyckel Foundation; and

WHEREAS, the Kalmar Nyckel Foundation and its partners have invested nearly \$10 million in the Property which draws more than 5,000 students annually to its shipyard education program and about 1,600 annually for Kalmar Nyckel cruises on the Christina River; and

WHEREAS, Kalmar is a charter member of the 7th Street Peninsula Coalition committed to working with others to help extend Wilmington's Riverfront Development into the 7th Street Peninsula; and

WHEREAS, based on the foregoing, the City desires to extend the current ground lease with the Kalmar Nyckel Foundation into a new long-term lease which includes a future purchase option that can be exercised after a vesting period; and

WHEREAS, ownership of the Property will allow Kalmar to continue to maintain its investment in the Property and to secure future financing for the further development and growth of the Property and the 7th Street Peninsula; 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 wishes to approve the execution of a new long-term lease with the Kalmar Nyckel Foundation; and

WHEREAS, the Council further wishes to approve the disposition of the Property to the Kalmar Nyckel Foundation should it choose to exercise the future purchase option.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the long-term lease agreement between the Kalmar Nyckel Foundation and the City of Wilmington, a copy of which is attached hereto and made a part hereof, is hereby approved, and the Mayor or his designee is hereby authorized and directed to execute as many copies of said lease agreement as may be necessary.

BE IT FURTHER RESOLVED that Council hereby declares the Property to be surplus and approves the Property for disposition to the Kalmar Nyckel Foundation should it elect to exercise the future purchase option after the vesting period.

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

Upon a motion of Council Member Oliver, seconded by Council Member Freel, the above-referenced Resolution was before Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution and made some comments.

Council Member Harlee made some comments. Council Member Guy made some comments. Council Member Williams made some comments. Council Member Adams made some comments. Council Member Dixon made some comments. President Pro Temp Congo made some comments.

President Pro Temp Congo: Roll call please.

The above-referenced 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and President Pro Temp Congo. Total, eleven. Nays, none. Absent, President Shabazz and Council Member Walsh. Total, two.

President Pro Temp Congo: Declare it adopted. Council Member Harlee.

Council Member Harlee: Yes, President Pro Temp, I have a Resolution to present.

Council Member Harlee presented and called for the first and second reading Ordinance No. 19-027 (Agenda #4661) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN
EXTENSION OF A CONTRACT BETWEEN THE CITY
OF WILMINGTON AND PREFERRED MEAL SYSTEMS,
INC. FOR THE 2020 SUMMER FOOD SERVICE PROGRAM

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Harlee, seconded by Council Member Freel, the Ordinance was received, recorded and referred to the Education, Youth & Families Committee. Motion prevailed.

Council Member Harlee presented Resolution No. 19-021 (Agenda #4662) as follows:

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

WHEREAS, the City, through the Department of Parks and Recreation, applied for a grant from the Bank of America Charitable Foundation in the amount of \$65,000; and

WHEREAS, the grant will be used to support the City's 2019 Summer Youth Employment Program (the "Youth Program"), and

WHEREAS, the Bank of America Charitable Foundation has previously supported and funded the Youth Program; and

WHEREAS, the Youth Program offers job opportunities to the City's youth ages 14 to 20; 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 Department of Parks and Recreation's grant application to the Bank of America Charitable Foundation in the amount of \$65,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, 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 Harlee, seconded by Council Members Freel and McCoy, the above-referenced Resolution was before Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution.

President Pro Temp Congo: Clerk call for the roll.

The above-referenced 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and President Pro Temp Congo. Total, eleven. Nays, none. Absent, President Shabazz and Council Member Walsh. Total, two.

President Pro Temp Congo: Declare it adopted.

Council Member Harlee: I have one last Resolution, um, President Pro Temp.

President Pro Temp Congo: Ok.

Council Member Harlee presented Resolution No. 19-022 (Agenda #4663) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of

City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the City, through the Department of Parks and Recreation, applied for a grant from Christiana Care Health Care Services in the amount of \$35,210; and

WHEREAS, the Department of Parks and Recreation intends to use the grant money to supplement its offerings in the Wilmington Play Streets initiative that will provide children a safe place to play and adults a safe place to learn about available resources, and

WHEREAS, the grant will assist the City in promoting healthier lifestyles for children and families as well as seek to improve community engagement among City government offices and neighborhood residents; 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 Department of Parks and Recreation's grant application to Christiana Care Health Services in the amount of \$35,210 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, 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 Harlee, seconded by Council Members Freel and McCoy, the above-referenced Resolution was before Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution and made some comments.

Council Member Dixon advised that she is a contractor through Christiana Care who is funding the above-referenced program and therefore she would be voting present this evening. Council Member Turner made some comments.

President Pro Temp Congo: Clerk call the roll.

The above-referenced 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams and Guy, and President Pro Temp Congo. Total, ten. Nays, none. Present, Council Member Dixon. Total, one. Absent, President Shabazz and Council Member Walsh. Total, two.

Council Member Harlee: That's all I have for tonight.

President Pro Temp Congo: All right, thank you. Council Member Turner.

Mrs. Seijo (City Clerk): Excuse me.

President Pro Temp Congo: Oh, I'm sorry. Declare it adopted.

Mrs. Seijo (City Clerk): Thank you.

President Pro Temp Congo: Thank you. Council Member Turner.

Council Member Turner: Thank you; thank you Mr. President. Mr. President, I have one Resolution and I have three other Ordinances to read.

Council Member Turner presented Resolution No. 19-023 (Agenda #4664) 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 March 10, 2005, 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 6 Newark Union Road, 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 March 10, 2020; 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 March 10, 2020; 2) increase the license fee payable by T-Mobile to the City under the License Agreement to \$50,400 per year with an increase of three percent (3%) annually commencing on March 10, 2020; 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, is 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 McCoy, the above-referenced Resolution was before Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Resolution.

President Pro Temp Congo: Clerk call the roll.

The above-referenced 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and President Pro Temp Congo. Total, eleven. Nays, none. Absent, President Shabazz and Council Member Walsh. Total, two.

President Pro Temp Congo: Declare it adopted.

Council Member Turner: Mr. 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. 19-028 (Agenda #4665) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND SUMMIT MECHANICAL INC. FOR HVAC
PREVENTATIVE MAINTENANCE

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Turner, seconded by Council Members Freel and McCoy, the Ordinance was received, recorded and referred to Public Works & Transportation Committee. Motion prevailed.

Council Member Turner: Thank you. Mr. 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. 19-029 (Agenda #4666) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND SECURITY GUARD, INC. T/A GETTIER
SECURITY FOR SECURITY GUARD SERVICES

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Turner, seconded by Council Members Freel and McCoy, the Ordinance was received, recorded and referred to Public Works & Transportation Committee. Motion prevailed.

Council Member Turner: Mr. 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. 19-030 (Agenda #4667) entitled:

AN ORDINANCE TO AUTHORIZE AN ENERGY PERFORMANCE CONTRACT FOR LED STREET LIGHTING BETWEEN THE CITY OF WILMINGTON AND SEIBERLICH TRANE ENERGY SERVICES

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

Council Member Turner: That's all I have tonight Mr. President.

Pro Temp Congo: Thank you. Council Member McCoy.

Council Member McCoy: Thank you President Pro Temp. I have an Ordinance to present and call for the third and final reading.

Council Member McCoy presented and called for the third and final reading Ordinance No. 18-056 (Agenda #4610) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE REGARDING BUSINESSES

Council Member McCoy: President Pro Temp, I have a **Substitute** Ordinance to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE REGARDING BUSINESSES

Upon a motion of Council Member McCoy, seconded by Council Member Freel, the above-referenced **Substitute** Ordinance was before the Council for its consideration. Motion prevailed. Council Member McCoy spoke on the purpose of the Substitute Ordinance.

Council Member Turner made some comments. Council Member Oliver made a comment and requested to be added as cosponsor. Council Member Harlee also requested to be added as cosponsor and made some comments. Council Member McCoy made some comments. President Pro Temp Congo raised a question and Council Member McCoy responded.

Pro Temp Congo: Clerk call for the roll please.

The above-referenced **Substitute** Ordinance was read for the third and final reading 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and President Pro Temp Congo. Total, eleven. Nays, none. Absent, President Shabazz and Council Member Walsh. Total, two.

President Pro Temp Congo: Council Member Williams. Declare it adopted.

Council Member Williams: No legislation, thank you.

President Pro Temp Congo: Thank you. Council Member Freel.

Council Member Freel: Yes sir, I have two Ordinances for first and second and one Ordinance for third and final, which I'm holding and that's agenda item #4654*.

**Note: Agenda item #4654 (Sub. 1 to Ord. 19-026) was held.*

Council Member Freel presented and called for the first and second reading Ordinance No. 19-031 (Agenda #4668) entitled:

AN ORDINANCE TO IMPLEMENT THE CITY OF WILMINGTON PENSION COMMISSION'S RECOMMENDATION REGARDING A ONE-TIME STIPEND FOR FISCAL YEAR 2020 PURSUANT TO CHAPTER 39 OF THE CITY CODE

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

Council Member Freel presented and called for the third and final reading Ordinance No. 19-032 (Agenda #4669) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS AND GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ORDER TO PROVIDE THE FUNDS NECESSARY TO (I) FINANCE STREET REPAIRS AND IMPROVEMENTS OF VARIOUS STREETS AND ROADWAYS LOCATED WITHIN THE CITY LIMITS AND (II) REFINANCE ANY CITY DEBT RELATED TO THE WILMINGTON HOUSING

PARTNERSHIP; PROVIDING FOR THE SALE OF THE BONDS AND THE NOTES; AND AUTHORIZING OTHER NECESSARY ACTION

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

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

President Pro Temp Congo: Thank you. Council Member Adams.

Council Member Adams: Ah, Mr. Congo, no legislation this evening; thank you.

President Pro Temp Congo: Thank you. Council Member Dixon.

Council Member Dixon: Um yes, Mr. President, I have a Resolution to present on behalf of President Shabazz.

On behalf of President Shabazz, Council Member Dixon presented Resolution No. 19-024 (Agenda #4670) as follows:

WHEREAS, pursuant to Wilm. C. § 2-3 the mayor retains authority to sub-name by executive order any city street and designate the appropriate sub-name signage pursuant to subsection 2-298(17); and

WHEREAS, it is fitting that the City take steps to properly recognize and pay tribute to Wilmington residents who make a significant impact on history and culture through their exemplary accomplishments; and

WHEREAS, one Wilmingtonian worthy of such an honor is Mr. Marvin Thomas, a management analyst who recently retired after 30-years of public service for the Delaware State Government within the field of human services; and

WHEREAS, much of Mr. Thomas' career has been centered on helping those most vulnerable, particularly in Wilmington's inner-city communities. He graduated from Delaware State College with a degree in Sociology, and went on to receive a Master's Degree in Community Organization and Social Welfare Administration from the Bryn Mawr Graduate School of Social Work; and

WHEREAS, upon completing his degrees, Mr. Thomas went on to serve his community in many different ways. He helped spearhead the construction of the Henrietta Johnson Medical Center, a Federally Qualified Health Center located in Wilmington that provides healthcare services to all patients in need, regardless of whether they have health insurance; and

WHEREAS, Mr. Thomas went on to become the chairperson of the Neighborhood House Housing Committee during the Apple Square townhouse construction and initiated the creation of the Eastside/Southbridge New Millennium

Community Development Corporation. It should also be noted that Mr. Thomas was a member of the Prince Hall Masons in Delaware and was the first statewide director of the youth program; and

WHEREAS, in addition to all of his other accomplishments and acts of service, Mr. Thomas also served on the Board of Directors Riverfront Development Corporation for over 10-years, served as President of the Southbridge Civic Association and numerous other community-based committees and organizations. Throughout his time serving his community at the state and local level, Mr. Thomas also owned and operated a retail business in Southbridge for over 30-years. He currently serves on the Board of the Neighborhood House Inc., and the Henrietta Johnson Medical Center building committee; and

WHEREAS, City Council wishes to recognize the exceptional accomplishments and contributions of Marvin Thomas. Mr. Thomas' efforts and leadership in the field of human services at the state and local level have inspired many and shown the importance and magnitude of serving one's community. Council therefore encourages the Mayor to sub-name a portion of the street in the area of New Castle Avenue and Lobdell Street as "Marvin Thomas Way."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council respectfully encourages the Mayor to designate a portion of the street in the area of New Castle Avenue and Lobdell Street as "Marvin Thomas Way," in recognition of Mr. Thomas' significant contributions to the City of Wilmington. City Council looks forward to joining the Administration in celebrating this designation.

Upon a motion of Council Member Dixon, seconded by Council Members Freel and McCoy, the above-referenced Resolution was before the Council for its consideration. Motion prevailed. Council Member Dixon spoke on the purpose of the Resolution and made some comments on behalf of President Shabazz and herself.

Council Member Harlee made some comments. Council Member Oliver made some comments. Council Member Guy and Council Member Dixon requested to be added as a cosponsor.

President Pro Temp Congo: Clerk please call for the roll.

The above-referenced 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 Gray, Oliver, Harlee, Turner, McCoy, Williams, Freel, Adams, Dixon and Guy, and President Pro Temp Congo. Total, eleven. Nays, none. Absent, President Shabazz and Council Member Walsh. Total, two.

President Pro Temp Congo: Council Member Guy. Declare it adopted. I'm going to get that right. Declare it adopted. Council Member Guy.

Council Member Guy: Nothing tonight, um Mr. President.

President Pro Temp Congo: Council Member Walsh is not here this evening. At this time, we will go to petitions and communications.

PETITIONS AND COMMUNICATIONS

President Pro Temp Congo and Council Members spoke on the following: announcement of community events throughout the districts; the Fire Department were thanked for the upcoming distribution of smoke detectors; anniversary of D-Day; national tv show that showcase one of Wilmington's restaurant this week; announcement of committee meeting; announcement of a public rally at Brandywine Park as it relates to parks being taken in the minority neighborhoods; the Wilmington Fire Department was congratulated for their 40th Fire Academy Graduates class; the need to get more diversity on the Wilmington Fire and Police Departments; condolences to the family of Dr. William DeLauder; a Committee of the Whole meeting was requested to continue discussing the budget, discuss the topic of Channel 28 as well as the blight legislation and including but not limited to, everyone was thanked who came out last week from the community to discourage that particular legislation from moving forward.

ADJOURNMENT

Upon a motion of Council Member Turner, seconded by Council Members Gray and Dixon, Council adjourned at 8:02 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk