

*Wilmington, Delaware
Louis L. Redding
City/County Building
December 5, 2019*

City Council met in regular session on the above date at 6:37 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 Gray, Congo, Oliver, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Harlee and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of November 21, 2019, upon a motion of Council Member Congo, seconded by Council Member Freel, 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

November 18, 2019

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 19-047 entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/PARKING
REGULATIONS

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 Congo, II
/s/Michelle Harlee
/s/Zanthia Oliver

Upon a motion of Council Member Turner, seconded by Council Member
Dixon, 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

November 18, 2019

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 19-048 entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND REHRIG FINANCIAL SERVICES FOR THE
LEASE OF, AND OPTION TO PURCHASE, MUNICIPAL
SOLID WASTE CONTAINERS

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 Congo, II
/s/Michelle Harlee
/s/Zanthia Oliver

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

TREASURER'S REPORT

The following Treasurer's Report as of December 5, 2019, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Members McCoy and Freel, 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.

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City of Wilmington Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2480
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report as of December 5, 2019

Cash on Hand:

General Account	M & T Bank	\$8,120,675.91
Central Deposit	M & T Bank	\$194,853.66
Payroll	M & T Bank	\$1,009,874.37
Total Petty Cash Accounts	M & T Bank	\$10,880.52
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$981,140.36
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,651.32
Police Department Discretionary	M & T Bank	\$31,477.17
Pension Payroll Account	M & T Bank	\$270,114.59
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	\$20,206.96
Police Pension Account	M & T Bank	\$830,956.76
Fire Pension Account	M & T Bank	\$1,351.66
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$328,579.41
SubTotal		\$12,018,594.56
Total Cash on Hand		\$12,018,594.56

INVESTMENTS December 5, 2019:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	TD	CD	12/5/2019	1.64%	\$5,876.67	\$3,000,000.00
General	TD	CD	12/19/2019	1.54%	\$2,994.44	\$2,000,000.00
General	TD	CD	12/19/2019	1.80%	\$14,700.00	\$3,000,000.00
General	TD	CD	12/30/2019	1.67%	\$10,298.33	\$3,000,000.00
General	TD	CD	1/3/2020	1.59%	\$9,120.42	\$3,500,000.00
General	TD	CD	1/9/2020	1.58%	\$7,373.33	\$3,000,000.00
General	TD	CD	1/16/2020	1.54%	\$10,519.33	\$3,512,950.00
General	TD	CD	1/16/2020	1.51%	\$8,404.47	\$3,515,288.19
General	TD	CD	1/23/2020	1.59%	\$9,275.00	\$3,000,000.00
General	WSFS	CD	1/30/2019	1.50%	\$8,630.14	\$3,000,000.00
General	TD	CD	2/13/2019	1.51%	\$13,086.67	\$4,000,000.00
General ¹	WSFS	CD	2/11/2020	1.55%	\$64,972.60	\$17,000,000.00
SUB-TOTAL:						\$51,528,238.19
CAPITAL FUND:						
Capital ≤ 2015	TD	CD	2/13/2020	1.83%	\$43,350.50	\$10,651,955.58
Capital ≥ 2018	TD	CD	12/5/2019	1.83%	\$10,569.43	\$2,310,257.00
Capital ≥ 2018	TD	CD	12/5/2019	1.83%	\$66,245.02	\$14,320,667.00
SUB-TOTAL:						\$27,282,879.58
RISK MGMT:						
Risk Management	TD	CD	1/9/2020	1.79%	\$42,634.17	\$8,244,682.94
Worker's Comp	TD	CD	1/9/2020	1.79%	\$42,634.17	\$8,244,682.94
Retiree Medical Escrow	Vanguard-OPEB					\$24,359,839.00
SUB-TOTAL:						\$40,849,204.88
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	12/23/2019	1.35%	\$4,470.86	\$4,477,000.00
Fire Pension	WSFS	CD	12/23/2019	1.35%	\$99.86	\$100,000.00
Escrow Pension	Edgar Lomax					\$23,887,285.00
Escrow Pension	Vanguard Fixed					\$37,437,365.00
Escrow Pension	Earnest Partners					\$24,493,930.00
Escrow Pension	Wilmington Trust					\$36,709,303.00
Escrow Pension	Vanguard Stock Index					\$41,987,264.00
Escrow Pension	Artisan Global					\$7,912,738.00
Escrow Pension	Dodge & Cox					\$11,355,842.00
Escrow Pension	Fidelity					\$10,534,284.00
Escrow Pension	Harding Loevner					\$8,840,823.00
Escrow Pension	MFS Management					\$22,569,104.00
Escrow Pension	Clarion Lyon					\$6,385,038.00
Escrow Pension	Money Market					\$9,513,196.00
Escrow Pension	Morgan Stanley					\$6,064,955.00
SUB-TOTAL:						\$252,268,127.00
OTHER:						
Deferred Comp.	MassMutual					\$49,283,501.99
Contractual Requirements	WSFS	CD	1/15/2020	1.66%	\$12,605.03	\$3,037,356.74
Port Debt	WSFS	CD	12/12/2019	2.30%	\$24,119.43	\$2,025,211.00
Total Investments						\$423,237,162.64
Total Cash on Hand						\$12,018,594.56
Grand Total						\$435,255,757.20

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:

Oliver	Sympathy Vancourt E. Roane
Oliver	Sympathy Delois Portis
Oliver	Sympathy Soror Doris E. Sorden Laws
Oliver	Sympathy Anna Elizabeth Wing
Oliver	Sympathy Monica M. Jones
Turner	Sympathy Jeffrey A. Snow
Walsh	Sympathy Stanley Bartkowski

LEGISLATIVE BUSINESS

President Shabazz: Council Member Guy. Excuse me, Council Member Gray, any legislation this evening?

Council Member Gray: None this evening Madam President.

President Shabazz: Council Member Congo, any legislation sir?

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

President Shabazz: Council Member Oliver, any legislation?

Council Member Oliver: Nothing tonight Madam President.

President Shabazz: Council Member Turner.

Council Member Turner: Thank you Madam President. I have ah, Madam President, I have an Ordinance to present and call for the third and final reading.

Council Member Turner presented and called for the third and final reading Ordinance No. 19-047 (Agenda #4733) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS

Council Member Turner: Madam President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC/
PARKING REGULATIONS

Upon a motion of Council Member Turner, seconded by Council Members Freel and Dixon, the **Substitute** Ordinance was before the Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Ordinance.

President Shabazz: Seeing there's no comments from members of Council, are there any comments from the public? Seeing none, Clerk will call the roll.

Note: The floor was opened for anyone from the public to speak and nobody desired the privilege of the floor.

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

President Shabazz: Declare it adopted. Council Member McCoy, any legislation this evening?

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Council Member Johnson.

Council Member Johnson: Ah yes, yes Madam President, I have a Resolution to present on your behalf.

On behalf of President Shabazz, Council Member Johnson presented Resolution No. 19-078 (Agenda #4749) as follows:

WHEREAS, 40 states, including Delaware, have systems in which driver's licenses can be suspended when a defendant is unable to pay court or traffic fees; and

WHEREAS, Delaware is one of only five states in the nation that enforce mandatory and indefinite driver's license suspension without considering ability to pay; and

WHEREAS, these policies disproportionately affect Delaware's low-income residents, residents of color, and residents returning from the criminal justice system. Due to generational discrimination and a growing wage gap, Pew Research Center reported that African Americans are 2.8 times more likely to live in poverty than whites, and Hispanic Americans are 2.6 times more likely. Almost 60% of Wilmington residents are African American, and just under 11% of residents are Hispanic Americans. Therefore, almost 75% of Wilmington residents are susceptible to this growing poverty gap. In addition, 27% of Wilmington households are living under the poverty level; and

WHEREAS, indefinitely suspending driver's licenses impedes one's ability to travel to work, go to job interviews, and meet other obligations such as transportation to child care facilities, doctor appointments, probation and parole appointments all of which continues to impede the abilities of Returning Citizens and low-income residents to obtain lawful well-paying employment, pursue employment training, and/or additional education to improve their capabilities to pursue gainful employment causing such citizens to be at even greater disadvantage; and

WHEREAS, the American Community Survey reported over 75% of Wilmington residents drive to work in 2017, while only 12% residents took public transportation to their place of work. In addition, 27% of households live under the poverty line; and

WHEREAS, State Senator Brown, representing District 2 in Wilmington, is sponsoring Senate Bill 39 in the Delaware General Assembly that would prohibit license suspensions due to unpaid fees; gives power to the Courts to use their discretion to waive or modify fees, fines, costs, or assessments; and create a group to research the current financial obligations of persons who have served their sentences, or have been granted probation or parole; and

WHEREAS, on May 17th, 2018 the City Council resolved to support the American Civil Liberty Union's Campaign for Smart Justice with the passing of City Council Resolution #4535, which also recognizes "the obstacles faced by previously incarcerated individuals and its negative impact on individuals, the community, and the City of Wilmington"; and

WHEREAS, it is fundamental to the values of our State that all people have equal opportunities and no barriers to their ability to support themselves and their families.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council strongly supports Senate Bill 39 as it is an important step in criminal justice reform by removing a significant barrier to the positive Re-Entry of Returning Citizens who will be better equipped to be able to seek and obtain lawful employment, job training, or additional education to support themselves and their families, and pay the fines, costs, or assessments owed to the State resulting from their conviction of unlawful activities thus providing a beneficial service to the residents of both Delaware and the City of Wilmington as the communities in which the formerly incarcerated return to live and work.

Upon a motion of Council Member Johnson, seconded by Council Members Freel and Dixon, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution. Council Members Oliver and Turner requested to be added as co-sponsors.

President Shabazz: We now take - - are there any comments from the members of the public? Can you please come forward?

Public Comment Speakers:

- Michael Kaszeta
- D. Marque Hall

- Ryan Nowaczyk
- Diana Dixon
- Don Farrell

President Shabazz: Clerk will 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, Congo, Oliver, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Declare it adopted. Council Member Freel.

Council Member Freel: Ah, Madam President, I have one Ordinance for third and final.

Council Member Freel presented and called for the third and final reading Ordinance No. 19-048 (Agenda #4736) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND REHRIG FINANCIAL SERVICES FOR THE LEASE
OF, AND OPTION TO PURCHASE, MUNICIPAL SOLID
WASTE CONTAINERS

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a contract for the period of five (5) years commencing on the date of its execution at an estimated annual price of Three Hundred Thirty Thousand, Eight Hundred Thirty-Nine Dollars and Seventy-Six Cents (\$330,839.76) and an estimated total price of One Million, Six Hundred Fifty-Four Thousand, One Hundred Ninety-Eight Dollars and Eighty Cents (\$1,654,198.80).

Upon a motion of Council Member Freel, seconded by Council Members McCoy and Dixon, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Freel made comments and spoke on the purpose of the Ordinance.

President Shabazz: Seeing no comments from members of Council, are there any comments from the public? Seeing none, Clerk will call the roll.

Note: The floor was opened for anyone from the public to speak and nobody desired the privilege of the floor.

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

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

President Shabazz: Declare it adopted. Council Member Adams, any legislation?

Council Member Adams: None this evening ma'am, thank you.

President Shabazz: Council Member Dixon, any legislation?

Council Member Dixon: Nothing tonight Madam President.

President Shabazz: Council Member Guy, any legislation?

Council Member Guy: Nothing tonight Madam President.

President Shabazz: Council Member Walsh's legislation is being presented by Councilman Johnson.

Council Member Johnson: Yes, good evening Madam President, I have a Resolution to present on behalf of Councilwoman Walsh.

On behalf of Council Member Walsh, Council Member Johnson presented Resolution No. 19-075 (Agenda #4742) as follows:

WHEREAS, City Council enacted City Code Section 2-232 establishing procedures for the Chief of the Wilmington Police Department to call for the commencement of an academy class if the manpower of the Police Department falls below ninety-five (95) percent of the number of police officers set forth in the position allocation list attached to the annual operating budget ordinance for the applicable fiscal year; and

WHEREAS, on May 21, 2019, the Council approved the annual operating budget ordinance for fiscal year 2020 (the "Budget Ordinance"); and

WHEREAS, the Chief of the Police Department has represented that it is anticipated, based upon normal attrition, that the manpower of the Police Department will fall below ninety-five percent of the number of police officers set forth in the position allocation list attached to Budget Ordinance by the end of 2019; and

WHEREAS, pursuant to City Code Section 2-232(b), the Chief of the Police Department has drafted a resolution calling for the commencement of an academy class for the Police Department once manpower falls below the requisite threshold, and presented it to Council for its review.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby recognizes that the Chief of the Police Department has represented that it is anticipated that the manpower of the Police Department will fall below ninety-five percent of the number of police officers set forth in the position allocation list attached to the Budget Ordinance by the end of 2019 and has drafted a resolution calling for the commencement of academy class for the Police Department once manpower falls below the requisite threshold.

Upon a motion of Council Member Johnson, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution and made comments. Council Member Guy made comments. Council Member Congo made comments. Council Member Guy made additional comments.

Council Member Guy: I'd ask for the parliamentarian to check the section of the Code that talks about if we meet the 95% threshold, what it says that the Chief is supposed to do if we reach the 95% threshold as a point of order. I would like a ruling from the parliamentarian as to whether or not, the fact the sponsor even admitted that we're not at the 95% threshold, does this meet the criteria to be on the agenda? So, that's my point of order, request for a ruling from the parliamentarian.

President Shabazz: Councilman Guy, what you're requesting is not a procedural question. That should have been done during committee and the fact that the agenda is posted and we're moving forth agenda – and it is improper order.

Council Member Guy: Ok, well, everybody in this room knows that 299.25 is the answer when you multiple .95 x 315. So, we're only at 304, I believe that's what Charlotte Barnes emailed to me. So, we are not at the threshold. So, we don't have any business even taking this up let alone voting for it. So, that's two reasons. So, that's all I have Madam President.

President Shabazz: Thank you sir.

Council Member Guy: I make a motion that this here be table. That's a motion to table it.

Council Member Gray: Second.

Council Member Congo: Second.

Council Member Guy: Until the next Council meeting. Maybe they'll have three – down to be at 299 but table it until they get to 299 – put it that way.

Council Member Gray: Second.

Council Member Guy: If I have to have a date certain, you can make it...

President Shabazz: Councilman...

Council Member Guy: ... the first meeting in January...

President Shabazz: ...Councilman, I did not make - acknowledge for you to speak again please. Councilman Guy, your request to table this piece of legislation is not the proper process by which to do but I believe you are trying to do. Ah, a motion, a motion is not to be used just to not deal with the matter. What you're asking um, the request to lay it on the table is not the way, it's not the proper motion to make if you're trying to put this off for another time.

Council Member Guy: I said till the first meeting in January.

President Shabazz: But your motion that you made to lay it on the table is not the proper process.

Council Member Oliver: Madam President.

President Shabazz: Hold one second please.

Council Member Oliver: Oh, I'm sorry.

President Shabazz: I believe you want – you're asking to postpone to a certain time. That's the proper process.

Council Member Guy: So, move.

Council Member Turner: Second.

President Shabazz: It's been moved and seconded that this Resolution be postponed to another time, and that time being?

Council Member Guy: If you need a specific time, based on what they said it sound like that might be maybe February. I don't postpone it – I only want to postpone it to the point that they get to 299. Then we'll be ready to entertain this. So, as a best estimate, um, January – one of the January meetings and hopefully we'll be at 299 by then.

Council Member Johnson: It's factually inaccurate.

President Shabazz: Hold on...

Council Member Oliver: Yeah...

President Shabazz: ...hold on sir.

Council Member Oliver: ...thank you.

President Shabazz: Hold on.

Ms. Taylor Fullman (Parliamentarian): So, the motion was moved and seconded, so there's debate on the motion to postpone to a certain time.

President Shabazz: Ok, it's been a motion on the floor that has been seconded and debated, Councilwoman Oliver, on the question.

Council Member Oliver: Um, yes, I'd like to put it on record on the question, I think um, I mean, I one for diversity and all that but with all this shootings and murders and everybody is an uproar about the kids just came and spoke tonight and now we're going to say we don't want another um, police force with all the crime at all time high, I just think it's bad timing to hold up, um, a class at this moment with all of our kids being killed and um, and all the high crime, the shooting on Riverside, shooting Northside, shooting all throughout town, and that's all we keep talking about is the crime, the crime, the crime and now we have an opportunity to have new police class and we're sitting up here denying it. I just don't get it.

President Shabazz: Councilman Johnson, I'll come to you last. I'll come to you last sir. Councilwoman Gray.

Council Member Gray: Yes, I must say that my background is in law enforcement and I don't it's ever been proven that more police on the ground prevents crime. I'll tend to agree with the group that spoke that we need mentors and counselors and truancy officers and people like that out there intervening and helping the kids. I'm all for policing, I'm all for police on the streets but I think we can wait, um, like I said having more police has never stopped crime. So, um, I think we should focus on having different type of people out there to intervene and we can wait to add to the police department. And, when I was in probation and parole, they went through the same thing trying to find um, a diverse applicant pool and eventually through outreach they did.

President Shabazz: Councilman Johnson.

Council Member Johnson: This is, this is, I have to set the record straight.

President Shabazz: We're on, we're on...

Council Member Johnson: Yeah.

President Shabazz: ...on the question.

Council Member Johnson: On the term of timing of this, um, Councilman Guy's twisting of the Code is not accurate and in fact this budget appropriation has already been made and approved by Council. So, it's simply a formality that this process is happening and so what this sets the record, it sets a precedent of hard issues we keep putting off and I certainly have been um, a leading force in diversity and I certainly am working with the department but we can't use children as bargaining chips to handle political scores and that is what this is doing and it's hurting our youth. So, if you can go tell people through the City, the people in Riverside, the people in the neighborhoods that you're comfortable with the violence in neighborhoods, then go ahead, postpone it. But I'm not willing to do that and I'm willing to stand up and say we're going to work on diversity, but we can't use our neighborhoods as bargaining chips while we settle these political scores. So, in that, you know, it's not factually true what Councilman Guy is saying, it's not the interpretation of the Code. This appropriation has already been made. So, we need to go forward. It needs to go to a vote. We need to have courage and we can't keep going around these issues because have issues to solve the violence and we're not helping our constituents of putting this off.

President Shabazz: Councilman Turner, on the question.

Council Member Turner: On the motion, right?

President Shabazz: Yes.

Council Member Turner: Thank you Madam President. Um, it's not fair that we're talking about a motion we're involving um – talking about the last incident where the kids came up here and spoke and correlating that – that with, with, with this. What's also disturbing is that two of my colleagues that are, they're, they're asking for this to be approved, are also the same two that were fighting for body cameras. So, we were talking about the body cameras and increasing that, that number and the whole force but now we want to increase the number of the police force but we don't want to make sure that everybody has body cameras to see if our police force is acting, acting as it's supposed to and us just having transparency in the community. So, we speak with a tripped tongue about community but then we don't fight for the community for all of our police officers to protect the community to be transparent with body cameras. So, if we're not ready to, to, to, also do an ordinance for all of the police department that we have right now to have body cameras, and then we're asking for an increase where they still – with the number we have right now 304, don't have the body cameras. But then we want to increase and then you have new police officers that won't be equipped with body cameras. So, it's a lot of things here that some of you guys are standing on certain, certain platforms and, and, and it's starting to be confusing because you speak that you're speaking of the people and you represent this and but then here you go not with body cameras but then you're saying ok, with the diversity it doesn't matter, we'll do this, um, so let's, let's, let's find out where you, where we stand because you're talking with a tripped tongue when you talk about all of this. I definitely agree with my colleague about adding some truancy and things like that. So, um, let's just be careful. On, on the motion,

I, I, I definitely agree with the motion to, to, to postponing this until another time. I'm, I'm in agreement with that.

President Shabazz: Council Member Guy.

Council Member Guy: She had her hand up before me.

President Shabazz: Council Member Gray, I'm sorry.

Council Member Gray: I was going to say that I don't know why Councilman, ah, is bring politics into this. I don't see the politics. I think ah, Councilman um, Congo, stated that we requested something from the Police Chief. There's not politics when someone ignores a request from the Council. That's just asking a question and asking that he gives us information that we're entitled to. And if he could get it together by now, then he should have informed us, and this wouldn't be on the agenda. I don't see any politics in that and I'm tired of people throwing politics around every time someone has a different opinion. That's all I have to say.

President Shabazz: Council Member Guy.

Council Member Guy: Yes, Madam President, again on this...

President Shabazz: Say it again.

Council Member Guy: ...issue, on this motion, the – oh ok...

President Shabazz: Keep going sir.

Council Member Guy: On, on, on this issue, it's a simple mathematical equation. The budget says 315 police. The percentage is 95%. When you multiple those two numbers you get 299.25. Anybody within a sound of a voice can punch it on the calculator. If we need the Clerk or somebody to do that, then maybe we should do it because it's disingenuous for my colleague to say that somehow, I'm manipulating the numbers. No. Those are numbers, everybody knows they're the numbers. So, the point I'm making is just based on the math, we're not at the 95% threshold. So, the Chief had no business having a resolution drafted and asking it to be on our agenda. Nor, do they have any business being put on our agenda, but it is here now, and my object is not to kill it, my object is that it needs to wait till we reach the threshold numbers and the sponsor knows it. And, the parliamentarian wasn't allowed to read the Code language so we can put that in the record. But it says right in the Code language there's a "if", so you gotta have reached the number before the "if" kicks in.

So, it was important for the parliamentarian to be allowed to read the language that we're discussing. What we're doing is we're trying to cover up what the language says and just say, well the Mayor and the Chief, they're the bosses of all of us and they want this now and we got to vote for it now. They know. You notice you haven't seen the Chief show up here. The staff show up, HR, they know this has no

business on our agenda. And this has nothing to do with the bull jibe that was stated about somehow Harmon, the children and the kids was here and whatever. My record is deep and long for protecting this community. So, for somebody to come up here and try to question that, you're going to have a problem doing that. So, you might want to check yourself on that mess. So, all I say is to a date certain but the real date we're looking for is when they reach the threshold number, but they still got to deal with the diversity. We still haven't dealt with diversity, but we got a head start on it. But this has no business on the agenda. I'm willing to vote "no". If folks aint willing to agree to put it on the calendar at the right time, then I'll just vote no and then you're going to have start over again.

President Shabazz: Councilwoman Oliver.

Council Member Oliver: Thank you Madam President. Um, I, I agree with ah, ah with some of the things my colleague Sam Guy says. Um, but I still say um, I still defend my position, it's a lot of killings going on throughout the United States, there's a lot of killing going on in Wilmington, Delaware, Sam Guy, you're no blacker than I am, so, I live in the same community that you represent and I think I work just as hard as you - that you work in our community so, you're no blacker than I. I want to put that straight. I still defend there's enough kids out here being killed, not just talking about the ones that came up here tonight, I see them every day, I live around it, I live right in the hood and we need a police force, a new police force to assist with some of the killing. I'm not saying it's going to solve anything - I heard somebody say that, we know police don't solve cases, but if there's an extra police force that can be permitted right now with all this killing - that's all we keep talking about, we need something on the street, we need intervention, now we got a - I mean, I mean, it's no, it's just no end to this. I think - I still defend what I said, we need this class and that's all I got to say. Even if it's postponed whatever it is, I'm still on the record letting everybody know, I think we need this police class.

President Shabazz: Ok, we're still on the question of the motion.

Council Member Johnson: I just want to, to, to...

President Shabazz: Councilman Johnson.

Council Member Johnson: ...to inform Council...

Council Member Turner: You called him?

Council Member Johnson: ...so the authorized (inaudible)...

Council Member Turner: Point of order. Point of order.

Council Member Johnson: ...but the actual...

Council Member Turner: Point of order.

President Shabazz: Ok, Councilman Johnson, you shouldn't spoke until...

Council Member Turner: Did you call on him?

President Shabazz: ...I call on you and now I'm calling on you.

Council Member Turner: Thank you.

Council Member Johnson: Yeah. It, it is a, it's the, just the set one number, the actual authorized force is 304 but the actual live active force is around I believe is 285 because you have to account for folks who are on workers comp or out of work, so the actual people on the ground is 285. Around there, 285, 286 and those numbers have been again um, duly um, discussed in multiple committees and what I'm more concerned about is the timing of this. This individual who, who, who's against this, um, was not there. Councilman Guy did not avail himself to show up at the committee meeting. So, if he's not willing to put in the work, to discuss with the police department, to work on these issues, and then raise a fuss actually at the Council meeting, that's disingenuous. You have to do this outside of the actual Council vote, come to committee and engage and after that if that happens and you didn't get response and that's fine. I understand about the report but again, as Councilwoman Oliver says, um, lives are at stake and you know, people are going to have to live with this decision and live with it and that's fine. But um, I'm in support of going with this force and working with the police department. Working with them to solve the diversity issue.

President Shabazz: Council Member McCoy.

Council Member McCoy: Thank you Madam Chair. I'm sorry Madam President. Um, I do – um, I'm listening to my colleagues, I hear – I hear your pain, I hear your issues, my thing, I think we're not actually really understanding the fact a question was asked, we keep getting ourselves into this position because we are being denied the answer that we're requesting. On so many times we have actually asked for information and we have been sidelined or basically pushed aside for so long that now it gets to the point where we're here. We're here battling amongst ourselves over something to me would be fairly easy to go ahead and just vote in a new class. We're battling amongst ourselves because of the fact that we're not getting what we have ah requested from the Administration time and time again. This is something that is simple. And, I just wanted to – ah, I just had to make people aware that this is something that could have solved tonight if the Administration made certain that as we ask our questions to whatever department that they, that they made certain that we got our answers. We have gone through this so many times. The thing was the plan. The plan that was actually going – whatever way that they were going to try to execute to get more diversity. We could do, ah, I heard the thing about Power 99 – if we spend thousands of dollars on "It's Time for Wilmington", we can't put money to marketing to make certain that we get enough diverse officers and firefighters within our City. We, we, we have to, we have to when it comes – what the priority is. And, that's all, I just had to make certain that that's been

out there. We didn't have to get to this point if we get the information as we're requesting it.

Council Member Gray: We need to take the vote on the motion.

Council Member Oliver: Yeah, I wish they do something.

Council Member Gray: Get the vote on the motion.

President Shabazz: I'd like to call for a vote on the motion.

Council Member Gray: Thank you.

Council Member Guy: I think I get to speak last because it was my motion.

President Shabazz: Everybody has spoken twice two to three times.

Council Member Guy: I just get to speak last. That's what your Rules say. The person who makes the motion speaks last.

President Shabazz: No, that's on the presenting of, presenting of – not on a motion. On the presenting of a legislation you speak last. Clerk call the roll please.

Council Member Gray: We're voting on the motion, correct?

Ms. Andrea Queen (Deputy Clerk): Yes.

Council Member Guy: Can you repeat the motion, so everybody has clarity?

Council Member Oliver: She has to call for the vote.

Council Member Guy: That's a requirement for you to state what we're giving vote on.

President Shabazz: A motion was made postpone the Resolution presented until an uncertain time.

Council Member Guy: No, it's the second week of January.

President Shabazz: I didn't hear that date, so, all I heard was postpone.

Council Member Guy: You needed a time certain from me I thought. You said you needed a time certain.

President Shabazz: Did he said that?

Note: During this time, several individuals were speaking at one time.

President Shabazz: A motion was put on the floor and seconded for the Resolution to be postponed to the first week in January. All those in favor signify by saying "Aye". Those Opposed.

Council Member Adams: Roll Call vote.

President Shabazz: Will you let me conduct the meeting please.

Council Member Turner: That was over there.

The following is the Roll Call Vote on the motion to postpone action on the above-referenced Resolution as noted: Yeas, Council Members Gray, Congo, Turner, McCoy, Dixon and Guy. Total, six. Nays, Council Members Oliver, Johnson, Freel and Adams, and Council President Shabazz. Total, five. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Motion adopted. So, the motion to postpone to the first week of January has been adopted.

PETITIONS AND COMMUNICATIONS

Council President and Council Members spoke on the following: announcement of community events throughout the districts; individuals and organizations were thanked and congratulated for the various events and the great things that the various organizations do; Howard High School Football Team were congratulated for their championship victory; Happy Holidays were expressed to everyone; the violence in the streets; prior incidents that occurred during City Council meetings; the distribution of funds; pleas from youth at the Community Conversations' meeting; history on representation of Council; and including but not limited to, the need to come together with a plan to address issues that's plaguing the community.

ADJOURNMENT

Upon a motion of Council Member Oliver, seconded by Council Member Freel, Council adjourned at 8:08 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk