

*Wilmington, Delaware
Louis L. Redding
City/County Building
December 12, 2019*

City Council met in regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Gray, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Congo and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of December 5, 2019, upon a motion of Council Member Freel, seconded by Council Members McCoy and Dixon, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

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		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

December 2, 2019

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred
Ordinance No. 19-046 entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE
REGARDING THE DURATION OF THE RIVERFRONT WILMINGTON
BUSINESS IMPROVEMENT DISTRICT

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/Ciro Adams
/s/Linda M. Gray
/s/Christofer C. Johnson
/s/Hanifa Shabazz, Ex-Officio Member

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

TREASURER'S REPORT

The following Treasurer's Report as of December 12, 2019, was read into
the record by City Clerk and upon a motion of Council Member Freel, seconded by
Council Member McCoy, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 3 to Page 4.

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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 Delaware



City of Wilmington Treasurer's Report as of December 12, 2019

Cash on Hand:

General Account	M & T Bank	\$8,090,617.46
Central Deposit	M & T Bank	\$105,040.48
Payroll	M & T Bank	\$744,483.96
Total Petty Cash Accounts	M & T Bank	\$11,171.97
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	\$30,710.44
Pension Payroll Account	M & T Bank	\$152,941.00
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	\$195,847.26
Police Pension Account	M & T Bank	\$1,031,453.27
Fire Pension Account	M & T Bank	\$13,166.83
Worker's Comp 3rd Party Account	M & T Bank	\$12,724.54
Retiree Healthcare Account	M & T Bank	\$329,346.77
SubTotal		\$11,892,127.53
Total Cash on Hand		\$11,892,127.53

INVESTMENTS December 12, 2019:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
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:						\$48,528,238.19
CAPITAL FUND:						
Capital ≤ 2015	TD	CD	2/13/2020	1.83%	\$43,350.50	\$10,651,955.58
Capital ≥ 2018	TD	CD	2/6/2019	1.49%	\$3,795.43	\$1,455,581.60
Capital ≥ 2018	TD	CD	2/6/2020	1.53%	\$38,343.59	\$14,320,667.00
SUB-TOTAL:						\$26,428,204.18
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					\$24,833,060.00
SUB-TOTAL:						\$41,322,425.88
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	12/23/2019	1.35%	\$4,470.86	\$4,477,000.00
Piro Pension	WSFS	CD	12/23/2019	1.35%	\$99.86	\$100,000.00
Escrow Pension	Edgar Lomax					\$24,867,373.00
Escrow Pension	Vanguard Fixed					\$37,417,205.00
Escrow Pension	Earnest Partners					\$25,723,907.00
Escrow Pension	Wilmington Trust					\$36,653,551.00
Escrow Pension	Vanguard Stock Index					\$43,224,420.00
Escrow Pension	Artisan Global					\$8,158,912.00
Escrow Pension	Dodge & Cox					\$11,686,161.00
Escrow Pension	Fidelity					\$10,646,950.00
Escrow Pension	Harding Loevner					\$9,180,663.00
Escrow Pension	MFS Management					\$23,496,055.00
Escrow Pension	Clarion Lyon					\$6,385,038.00
Escrow Pension	Money Market					\$323,988.00
Escrow Pension	Morgan Stanley					\$6,064,955.00
SUB-TOTAL:						\$248,406,178.00
OTHER:						
Deferred Comp.	MassMutual					\$49,426,577.48
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						\$416,136,834.73
Total Cash on Hand						\$11,892,127.53
Grand Total						\$428,028,962.26

¹ Budget Reserve

Velda Jones-Rotter
Velda Jones-Rotter, City Treasurer

NON-LEGISLATIVE BUSINESS

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

Walsh	Sympathy Daniel Francis Thomas
Walsh	Sympathy David C. Siple

LEGISLATIVE BUSINESS

President Shabazz: Council Member Gray, any legislation this evening?

Council Member Gray: None this evening Madam President.

President Shabazz: Council Member Oliver, any legislation?

Council Member Oliver: None this evening Madam President.

President Shabazz: Council Member Harlee.

Council Member Harlee: Yes, ah, Council President, I have an Ordinance to present on your behalf and call for the third and final reading.

On behalf of President Shabazz, Council Member Harlee presented and called for the third and final reading Ordinance No. 19-046 (Agenda #4732) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY
CODE REGARDING THE DURATION OF THE RIVERFRONT
WILMINGTON BUSINESS IMPROVEMENT DISTRICT

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

President Shabazz: Seeing there's no further comments from members of Council, are there any comments from the public?

Public Comment Speaker:

- Devon Marque Hall

President Shabazz: Thank you sir. Seeing no other further comments from members of Council, Clerk will please call the roll.

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

President Shabazz: Declare it adopted.

Council Member Harlee: That's all I have Council President.

President Shabazz: Thank you. Council Member Turner.

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

Council Member Turner presented Resolution No. 19-079 (Agenda #4750) 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 September 19, 1996, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and AT&T Wireless of Philadelphia, L.L.C. ("AT&T") which permitted AT&T to install and operate communications antennas on and a control cabinet at the base of the City's water tower located on or near 200 Presidential Drive, Greenville, Delaware, sometimes referred to as the Monroe Park Tank; and

WHEREAS, New Cingular Wireless PCS, LLC ("AT&T – NCW") is the successor-in-interest to AT&T with respect to the License Agreement; and

WHEREAS, on August 28, 2008, City Council passed a resolution approving the First Amendment to the License Agreement ("First Amendment") which amended the License Agreement and extended its term until August 8, 2012; and

WHEREAS, on December 5, 2013, City Council passed a resolution approving the Second Amendment to the License Agreement ("Second Amendment") which amended the License Agreement and extended its term until August 8, 2022; and

WHEREAS, the License Agreement, as amended, is set to expire on August 8, 2022; and

WHEREAS, the parties desire to enter a Third Amendment to 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 August 9, 2022; (2) increase the license fee payable by AT&T-NCW to the City under the License Agreement to \$29,028.60 per year commencing on August 9,

2022 with an increase of three percent (3%) annually thereafter; and (3) provide AT&T-NCW with an option to renew the License Agreement for two (2) additional terms of five (5) years after the first five-year extension.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby authorizes and approves the “Third Amendment to License Agreement” between the City of Wilmington and New Cingular Wireless PCS, LLC, a copy of which, in substantial form, is attached hereto as Exhibit “A”, and the Commissioner of Public Works, or her designee, is hereby authorized to execute as many copies of said “Third Amendment to License Agreement” as may be necessary.

Upon a motion of Council Member Turner, seconded by Council Members Freel and Dixon, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Resolution. Council Member Adams made comments. Council Member Guy raised a question and Council Member Turner responded.

President Shabazz: Seeing no other comments from members of Council, are there any comments from the public?

Public Comment Speaker:

- Devon Marque Hall

Council Member Gray raised a question and Council Member Turner responded. President Shabazz made a comment.

President Shabazz: Seeing no other members, um, comments from members of Council, Clerk, will you please 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, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Nays, none. Absent, Council Members Congo and Walsh. Total, two.

President Shabazz: Declare it adopted.

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

Council Member Turner presented Resolution No. 19-080 (Agenda #4751) 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 December 3, 2009, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and Clear Wireless, LLC ("Sprint") which permitted Sprint 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, sometimes referred to as the Carr Road Tank; and

WHEREAS, the License Agreement is set to expire on February 29, 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 1, 2020; (2) increase the license fee payable by Sprint to the City under the License Agreement to \$48,381.00 per year commencing on March 1, 2020 with an increase of three percent (3%) annually thereafter; and (3) provide Sprint with an option to renew the License Agreement for two (2) additional terms of five (5) years after the first five-year extension.

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 Clear Wireless, LLC, a copy of which, in substantial form, is attached hereto as Exhibit "A", and the Commissioner of Public Works, or her 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 Members Freel and McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Resolution.

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

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

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

President Shabazz: Declare it adopted.

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

Council Member Turner presented Resolution No. 19-081 (Agenda #4752) 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 December 3, 2009, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and Clear Wireless, LLC ("Sprint") which permitted Sprint to install and operate communications antennas on and a control cabinet at the base of the City's water tower located on or near 4100 Concord Pike, Wilmington, Delaware, sometimes referred to as the Talleyville Tank; and

WHEREAS, the License Agreement is set to expire on February 29, 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 1, 2020; (2) increase the license fee payable by Sprint to the City under the License Agreement to \$48,381.00 per year commencing on March 1, 2020 with an increase of three percent (3%) annually thereafter; and (3) provide Sprint with an option to renew the License Agreement for two (2) additional terms of five (5) years after the first five-year extension.

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 Clear Wireless, LLC, a copy of which, in substantial form, is attached hereto as Exhibit "A", and the Commissioner of Public Works, or her 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 Members Freel and Dixon, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Resolution.

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

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

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

President Shabazz: Declare it adopted.

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

Council Member Turner present Resolution No. 19-082 (Agenda #4753) 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 January 19, 2012, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and T-Mobile Northeast LLC ("T-Mobile") which permitted T-Mobile to install and operate communications antennas on and a control cabinet at the base of the City's water tower located on or near 1651 Foulk Road, Wilmington, Delaware; and

WHEREAS, the License Agreement is set to expire on January 31, 2022; 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 February 1, 2022; (2) increase the license fee payable by T-Mobile to the City under the License Agreement to \$50,400.00 per year commencing on February 1, 2022 with an increase of three percent (3%) annually thereafter; and (3) provide T-Mobile with an option to renew the License Agreement for two (2) additional terms of five (5) years after the first five-year extension.

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 Commissioner of Public Works, or her 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 Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Turner spoke on the purpose of the Resolution.

President Shabazz: Are there any comments from members of, um, is there any further comments from members of the Council? Seeing none, is there any comments from the public? Please come forward and identify yourself.

Public Comment Speaker:

- Devon Marque Hall

Council Member Turner made comments. Council Member Guy made comments.

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

President Shabazz: Declare it adopted.

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

President Shabazz: Thank you sir.

Council Member Turner: Thank you.

President Shabazz: Council Member McCoy.

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Any legislation Council Member Johnson?

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

On behalf of President Shabazz, Council Member Johnson presented Resolution No. 19-083 (Agenda #4735) as follows:

WHEREAS, pursuant to Section 5-600(a) of the Wilmington City Charter, City Council may adopt, after a duly advertised public hearing, the comprehensive development plan of the City of Wilmington that is prepared by the Department of Planning and Development with the advice of the City Planning Commission; and

WHEREAS, "A City-Wide Plan of Land Use: A Component of the Comprehensive Development Plan for Wilmington, Delaware" was adopted by City Council on July 10, 2003, last amended by City Council on August 27, 2009, and last

certified by the State of Delaware Office of State Planning Coordination (the "OSPC") on October 21, 2010 (the "Existing Comprehensive Plan"); and

WHEREAS, 22 Del. C. § 702(e) requires municipalities to revise, update, amend as necessary, and readopt their comprehensive plans at least every ten (10) years; and

WHEREAS, 22 Del. C. § 702(f) requires municipalities to submit their comprehensive plans, and amendments and revisions to such plans, for review and approval by the OSPC and for final certification by the Governor or his designee; and

WHEREAS, the City of Wilmington submitted its updated comprehensive plan, entitled "Wilmington 2028: A Comprehensive Plan for Our City and Communities" (the "New Comprehensive Plan"), a copy of which is attached hereto as Exhibit A, to the OSPC on May 22, 2019, for review and approval; and

WHEREAS, the OSPC issued a letter dated July 26, 2019 stating that the New Comprehensive Plan could be accepted for certification following adoption of the plan by the Wilmington City Council; and

WHEREAS, on September 17, 2019, after holding a duly advertised public meeting, the City Planning Commission by its Resolution 12-19, recommend that: (i) the New Comprehensive Plan be amended to update the future land use map to change the land use designation in the area bounded by Maryland Avenue, Anchorage Street, Oak Street, and Beech Street from "Infrastructure" to "Neighborhood Mixed Use" and (ii) City Council adopt the New Comprehensive Plan, as amended by the City Planning Commission; and

WHEREAS, in accordance with City Charter Section 5-600(a), a duly advertised public hearing on the New Comprehensive Plan was held on November 7, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby adopts the New Comprehensive Plan entitled the City Planning Commission in its Resolution 12-19 (a copy of which is attached hereto as Exhibit A), thereby replacing all components of the Existing Comprehensive Plan.

BE IT FURTHER RESOLVED that Council recommends that the New Comprehensive Plan be forwarded to the Governor for certification.

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 Oliver made comments. Council Member Harlee made comments. Council Member Guy made comments. Council Member Gray made comments. Council Member McCoy made comments. Council Member Oliver made additional comments. Council Member Harlee made additional comments. Council Member Guy made additional comments. Council Member Johnson made comments.

President Shabazz: Before, um, comments from members of Council, is there any comments from the public?

Public Comment Speakers:

- Devon Marque Hall

President Shabazz: Can we ask that the public please keep your comments relevant to the legislation?

Council Member Guy: But also, make a motion....

President Shabazz: Point of order Mr. Guy.

Council Member Guy: ...that we stop interrupting people.

President Shabazz: Point of order Mr. Guy.

Council Member Guy: Let him have his three (3) minutes. That's my point of order.

President Shabazz: His time is up Mr. Guy.

Council Member Guy: Yeah but you all interfered with his time. Just because you like...

President Shabazz: Mr. Guy...

Council Member Guy: ...what people say...

President Shabazz: ...please, point of order.

Council Member Guy: Point of order...

President Shabazz: ...our public will act – respect our rules when we respect our rules. Please, continue sir.

- Donald Farrell

Council Member Oliver: Point of order, it should be for the legislation.

Council Member Guy: Point of order. Stop interrupting speakers.

President Shabazz: Please, please.

Council Member Guy: He was responding to the speaker.

President Shabazz: His comments should be relevant to the legislation, not...

Council Member Guy: Then he should be relevant in what he said.

President Shabazz: Councilman Guy, please, point of – can you please continue – conduct yourself and be recognized. There's a public person at the ...

Public Comment Speaker: Donald Farrell continued his comments.

Council Member Oliver: Point of order. What does this have to do with the comprehensive plan?

President Shabazz: Ok, Council Member Oliver.

Council Member Guy: Point of order.

Public Comment Speaker: Donald Farrell continued his comments.

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

President Shabazz: Declare it adopted. Council Member Freel.

Council Member Freel: Yes, I have an Ordinance for first and second and a Resolution.

Council Member Freel presented and called for the first and second reading Ordinance No. 19-055 (Agenda #4754) entitled:

AN ORDINANCE TO AUTHORIZE A MULTI-YEAR
AMENDMENT OF CONTRACT 15055DFPS (PARKING
CITATION PROCESSING AND COLLECTION SERVICES)
BETWEEN THE CITY OF WILMINGTON AND CONDUENT
STATE AND LOCAL SOLUTIONS, INC.

FISCAL IMPACT: The fiscal impact of this Ordinance is a contract for the period of two (2) years and two (2) months commencing on the date of execution of the Amendment at an estimated price of one hundred thousand, two hundred six dollars (\$100,206.00) per month (which will increase by two-and-a-half percent (2.5%) every twelve (12) months after execution of the Amendment) plus thirty percent (30%) of net revenue from collection efforts, with the possibility of two (2) additional extensions of one (1) year thereafter at the same price.

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

Council Member Freel presented Resolution 19-084 (Agenda #4755) 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) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; and

WHEREAS, Wilm. C. § 2-622(1) provides that the Council shall by resolution declare a property to be approved for disposition and authorize the conduct of disposition proceedings by the Department of Real Estate and Housing; and

WHEREAS, Wilm. C. § 2-622(2) provides that the Department of Real Estate and Housing shall cause public notice of the request for proposals for the disposition of a property to be given by publication in a newspaper having general circulation in the City and make available all pertinent information to persons interested in submitting a bid on the property that has been approved for disposition; and

WHEREAS, Wilm. C. § 2-622(5) provides that the bids for a property, together with the recommendations of certain City departments, including the Department of Real Estate and Housing, shall be submitted to Council which, by resolution, shall approve the bid of the best bidder; and

WHEREAS, the City currently owns the parcel of real estate located at 1814 Gilpin Avenue, Wilmington, Delaware 19806, being New Castle County Tax Parcel ID No. 26-013.10-205 (the "Property"); and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to: (i) declare the Property to be surplus; (ii) approve the Property for disposition; and (iii) authorize the conduct of disposition proceedings by the Department of Real Estate and Housing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby declares the Property to be surplus and approved for disposition and authorizes the Department of Real Estate and Housing to conduct disposition proceedings.

Upon a motion of Council Member Freel, seconded by Council Member Johnson, the above-referenced Resolution was before the Council for its consideration. Motion prevailed. Council Member Freel spoke on the purpose of the Resolution. Council Member Guy made comments. Council Member Oliver made comments. Council Member Gray made comments. Council Member Turner made comments. Council Member Johnson. Council Member Turner made additional comments. Council Member Oliver made additional comments. Council Member Harlee made comments. Council Member Adams made comments. Council Member Dixon made comments.

Council Member Harlee made additional comments. Council Member Guy made additional comments. Council Member Gray made additional comments raised a question. President Shabazz responded. Council Member Adams made additional comments. Council Member McCoy made comments. Council Member Johnson made additional comments. Council Member Freel made comments.

President Shabazz: Are there any comments from the public? For clarification to members of Council, the public is not held on the same FOIA regulations as members of Council are. So, their – their comments can be a little bit more liberal. Continue sir.

Public Comment Speakers:

- Devon Marque Hall
- Jacob Morente
- Donald Farrell

President Shabazz: I think everyone has spoken twice except for Council Members Dixon and McCoy.

Council Member Guy: Point of order. Can you have the parliamentarian check the rules because it has two parts...

Council Member Turner: Yeah.

Council Member Guy: ...and we each get a second five minutes after the public speaks.

President Shabazz: Councilman Guy, speak.

Council Member Guy: Oh, ok.

Council Member Guy made additional comments. Council Member Harlee made additional comments and raised a question and President Shabazz responded. Council Member Harlee raised another question and President Shabazz responded. Council Member Freel made additional comments.

President Shabazz: 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 Oliver, Harlee, Johnson, Freel and Adams, and Council President Shabazz. Total, six. Nays, Council Members Gray, Turner, McCoy, Dixon and Guy. Total, five.

President Shabazz: Declare it defeated.

Council Member Freel: Excuse me.

President Shabazz: Oh, excuse me. I'm sorry.

Council Member Freel: It's a Resolution.

Council Member Oliver: It's a Resolution.

Council Member Turner: No.

Council Member Guy: Legislative...

President Shabazz: Excuse me. Can you read me the count again please?

Mrs. Seijo (City Clerk): Yes. Six (6) Yeas, Five (5) Nays and Two (2) Absent.

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

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

President Shabazz: Council Member Dixon.

Council Member Dixon: Um, nothing this evening Madam President.

President Shabazz: Council Member Guy, any legislation this evening Council Member Guy.

Council Member Guy: Um, nothing tonight Madam President.

President Shabazz: We now move to petitions and communications.

PETITIONS AND COMMUNICATIONS

Council President and Council Members spoke on the following: announcement of community events throughout the City; in coming back in session, the need to work together in unity and to continue to respect other's opinions and views; final deal with formerly Fresh Grocer (now The Great Value) and the individuals who were a part of working with this matter were thanked; Wilmington Housing Partnership and the \$3.4 million; the need to look to the state of the millions of dollars that could help address the social ills of this community for women, children and seniors, etc.; and including, but not limited to, everyone expressed well wishes for a safe and happy holiday season.

ADJOURNMENT

Upon a motion of Council Member Freel, seconded by Council Member Dixon, Council adjourned at 8:30 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk