

*Wilmington, Delaware
Louis L. Redding
City/County Building
February 6, 2020*

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, 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 January 16, 2020, upon a motion of Council Member Congo, seconded by Council Members Dixon and 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

January 27, 2020

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred
Ordinance No. 20-004 entitled:

AN ORDINANCE TO APPROVE AND ADOPT THE MAJOR
SUBDIVISION PLAN KNOWN AS “SOUTH ROAD CONNECTOR”
AND ACCEPT DEDICATION OF AN UNNAMED CITY STREET
BETWEEN THE SOUTH WALNUT STREET ACCESS ROAD AND
GARASCHE LANE TO BE ADDED TO THE OFFICIAL CITY MAP

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

Respectfully submitted, Members of
Public Works & Transportation Committee
/s/Ciro Adams, Vice Chair
/s/Michelle Harlee
/s/Hanifa Shabazz, Ex-Officio Member

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

TREASURER’S REPORT

The following Treasurer’s Report as of February 5, 2020, was read into
the record by City Clerk and upon a motion of Council Member Congo, seconded by
Council Members Freel and Dixon, 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.

City of Wilmington Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2490
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report as of February 5, 2020


Cash on Hand:

General Account	M & T Bank	\$8,142,413.50
Central Deposit	M & T Bank	\$189,978.78
Payroll	M & T Bank	\$1,657,333.66
Total Petty Cash Accounts	M & T Bank	\$11,321.06
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$982,749.70
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,655.33
Police Department Discretionary	M & T Bank	\$28,731.57
Pension Payroll Account	M & T Bank	\$221,511.09
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,500.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$178,946.86
Police Pension Account	M & T Bank	\$201,539.21
Fire Pension Account	M & T Bank	\$11,604.72
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$358,109.41
SubTotal		\$12,202,322.97
Total Cash on Hand		\$12,202,322.97

INVESTMENTS February 5, 2020:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	WSFS	CD	2/6/2020	1.52%	\$4,161.64	\$2,000,000.00
General	TD	CD	2/13/2019	1.51%	\$13,086.67	\$4,000,000.00
General	TD	CD	2/20/2020	1.54%	\$8,026.03	\$3,000,000.00
General	TD	CD	2/27/2020	1.54%	\$8,256.18	\$3,509,120.42
General	TD	CD	3/11/2020	1.70%	\$8,783.33	\$3,000,000.00
General	TD	CD	3/16/2020	1.49%	\$6,596.24	\$3,007,022.50
General	TD	CD	3/26/2020	1.70%	\$12,726.39	\$3,500,000.00
General	TD	CD	4/28/2020	1.50%	\$15,833.33	\$4,000,000.00
General	TD	CD	5/28/2020	1.50%	\$31,250.00	\$6,000,000.00
General ¹	WSFS	CD	2/11/2020	1.55%	\$64,972.60	\$17,000,000.00
SUB-TOTAL:						\$49,016,142.92
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	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Worker's Comp	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Retiree Medical Escrow	Vanguard-OPEB					\$25,348,434.00
SUB-TOTAL:						\$41,923,068.22
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	2/28/2020	1.45%	\$5,910.20	\$4,355,000.00
Escrow Pension	Edgar Lomax					\$25,358,328.00
Escrow Pension	Vanguard Fixed					\$37,366,138.00
Escrow Pension	Earnest Partners					\$26,570,065.00
Escrow Pension	Wilmington Trust					\$36,693,155.00
Escrow Pension	Vanguard Stock Index					\$44,191,005.00
Escrow Pension	Artisan Global					\$8,470,621.00
Escrow Pension	Dodge & Cox					\$12,195,231.00
Escrow Pension	Fidelity					\$11,092,987.00
Escrow Pension	Harding Loevner					\$9,522,870.00
Escrow Pension	MFS Management					\$24,134,449.00
Escrow Pension	Clarion Lyon					\$6,385,038.00
Escrow Pension	Money Market					\$325,560.00
Escrow Pension	Morgan Stanley					\$6,064,955.00
SUB-TOTAL:						\$252,725,402.00
OTHER:						
Deferred Comp.	MassMutual					\$51,152,596.73
Contractual Requirements	WSFS	CD	7/1/2020	1.45%	\$20,638.07	\$3,049,961.78
Port Debt	WSFS	CD	2/12/2020	1.40%	\$4,705.96	\$1,978,890.00
Total Investments						\$423,224,304.05
Total Cash on Hand						\$12,202,322.97
Grand Total						\$435,426,627.02

¹ Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Russlean Eaddy
All Council	Sympathy former Wilmington Mayor and Delaware Congressman Harry G. "Hal" Haskell
Freel	Recognition Jake A. Poppiti
Oliver	Sympathy Jordan N. Tate
Oliver	Sympathy Barbara Barnes Coleman
Oliver	Sympathy Rashida R. McNeil-Fuller
Oliver	Sympathy Harrison E. Cephas
Oliver	Sympathy Lillian Marie Beard
Oliver	Sympathy James Pinkett
Oliver	Sympathy Kerisha M. Stroman
Oliver	Sympathy Diane Hale
Oliver	Recognize Moms Demand Action
Shabazz	Sympathy Matthew Stehl
Shabazz	Sympathy Marietta McMillan
Shabazz	Sympathy Howard H. Brown, Esq.
Shabazz	Recognize Nomad 10 th Anniversary
Turner	Sympathy Patricia A. Lindsey

Note: President Shabazz recognized former Councilman Michael Brown who was sitting in the audience.

LEGISLATIVE BUSINESS

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

Council Member Gray: None Madam President.

President Shabazz: Council Member Congo, legislation sir?

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

President Shabazz: Council Member Oliver.

Council Member Oliver: Yes, Madam President, I have an Ordinance to present on behalf and call for the first and second reading.

On behalf of President Shabazz, Council Member Oliver presented and called for the first and second reading Ordinance No. 20-006 (Agenda #4762) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE
CITY CODE REGARDING BED BUG EXTERMINATION
AND TREATMENT

FISCAL IMPACT STATEMENT: The projected fiscal impact of this Ordinance is a nominal increase relevant to the development and availability of the bed bugs informational brochure.

POLICY STATEMENT: The resurgence of bed bugs has created significant concern in the pest management industry and in society overall. The spread of bed bug infestations is a burden on the resources of Wilmington residents, property owners and health and social services providers in both the public and private sectors. In a time of fiscal austerity, cities should choose strategies that are both cost-efficient and highly effective. Smart, dedicated action can prevent the spread of bed bugs, thereby saving money and preventing waste in the long term. Municipalities across the country are creating and/or strengthening legislation on this issue. Examples of such proactive local jurisdictions include Philadelphia, Chicago, Jersey City, San Francisco, New York City, Boston, Cincinnati and Detroit. The goal of these regulations is not to overburden landlords, but to raise the bar and ensure to the extent possible that landlords are responsible stewards of their properties, working with the municipality to ensure safe, clean and healthy neighborhoods.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Oliver, seconded by Council Member Freel, the Ordinance was received, recorded and referred to joint meeting of Community Development & Urban Planning and Health, Aging & Disabilities Committees. Motion prevailed.

President Shabazz: Council Member Turner.

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

Council Member Turner presented Resolution No. 20-001 (Agenda #4763) 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 May 19, 2005, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and Sprint Spectrum Realty Company, LLC (formerly a limited partnership) a Delaware limited

liability company, successor in interest to Sprint Spectrum L.P.; ("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 1651 Foulk Road, Wilmington, Delaware; and

WHEREAS, the License Agreement is set to expire on July 31, 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 August 1, 2020; (2) increase the license fee payable by Sprint to the City under the License Agreement to \$3,333.33 per month commencing on August 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 Sprint Spectrum Realty Company, 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: I see there's no comments from members of Council. Um, are there any comments from the public? Seeing none, um, 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 Turner: That's all I have Madam President.

President Shabazz: Council Member McCoy, any legislation tonight?

Council Member McCoy: Nothing Madam President.

President Shabazz: Council Member Johnson.

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

Council Member Johnson presented Resolution No. 20-002 (Agenda #4764) 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 Wilmington Police Department, has submitted grant applications to the State of Delaware Department of Safety and Homeland Security for funding from the State Law Enforcement Assistant Fund ("SLEAF") in the amount of \$29,538.17; and

WHEREAS, the proposed grant funds would be used to make a surveillance camera equipment purchase, upgrades for the Department's Drug, Organized Crime and Vice Division's undercover fleet, and overtime funds for narcotics investigations; 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 Wilmington Police Department's grant applications to the State of Delaware in the total amount of \$29,538.17 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

Upon a motion of Council Member Johnson, seconded by Council Member Freil, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution. Council Member Guy made comments and raised a question. President Shabazz and Council Member Johnson responded. Council Member Turner made comments. Council Member Johnson responded. Council Member Guy made additional comments. Council Member Oliver made comments. Council Member Johnson made closing comments.

President Shabazz: Are there any comments from the public?

Public Comment Speaker:

○ Donald Ferrell

President Shabazz: Clerk will call the roll.

Council Member Guy: My hand is up. You're supposed to ask do any members of Council...

President Shabazz: I scanned the room...

Council Member Guy: ...no you purposely...

President Shabazz: ...Councilman Guy, Councilman Guy, I not going to do with you.

Council Member Guy: ...I know because you're cheat...

President Shabazz: ...I not going through that with you. You're out of order...

Council Member Guy: ...my hand is up...

President Shabazz: ...you're out of order sir.

Council Member Guy: ...it's a point of order. Will you read the rules on what it says I'm entitled to? It's a right.

Council Member Oliver: You called the roll.

President Shabazz: I call for the vote 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, 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 Johnson: Ok Madam President, I have another Resolution to present.

Council Member Johnson presented Resolution No. 20-003 (Agenda a#4765) 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 Wilmington Police Department, has submitted grant applications for pass-through grant funding from the United States Bureau of Alcohol, Tobacco, and Firearms' ("ATF") Bit Force Initiative via the High Intensity Drug Trafficking Area ("HIDTA") grant program for a total of \$53,572.00; and

WHEREAS, the High Intensity Drug Trafficking Areas (HIDTA) program is a federal program administered by the White House Office of National Drug Control Policy ("ONDCP), designed to provide resources to federal, state, local, and tribal agencies to coordinate activities to address drug trafficking in specifically designated areas of the country; and

WHEREAS, New Castle County, including the City of Wilmington, has historically been designated as a High Intensity Drug Trafficking Area; and

WHEREAS, the proposed grant funds would be used to fund overtime for two detectives and their police vehicles to engage with HIDTA law enforcement initiatives developed to identify and disrupt/dismantle drug trafficking and money laundering organizations; reduce drug-related crime and violence; and identify and respond to emerging drug trends; 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 Wilmington Police Department's grant applications to the United States Bureau of Alcohol, Tobacco, and Firearms in the total amount of \$53,572.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

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 Congo raised a question and President Shabazz responded. Council Member Congo continued with his comments. Council Member Guy made comments. Council Member Congo made additional comments. Council Member Gray made comments. Council Member Oliver made comments. Council Member Guy made additional comments.

Council Member Oliver: Point of order. Point of order.

Council Member Guy: I knew you'd holler on that.

Council Member Oliver: Yeah, point of order. Stay with what's on the agenda.

Council Member Guy: ...(audible)...on the agenda – funding, the funding...

President Shabazz: Councilman, but the source of the funding, the source of the funding is what we're discussing.

Council Member Guy continued with his comments. Council Member Oliver made additional comments. Council Member Gray raised a question and President Shabazz responded.

Council Member Gray: You can't table this?

President Shabazz: Table, no.

Council Member Gray: Save it for the next meeting so it gives Capitol Tracy time to address the body cams. I have to make a motion to table it.

President Shabazz: Table it - just send it to the - - this, this - table is not the right motion for what you're requesting. Table is just to table to later on, on the agenda.

Council Member Gray: Well.

Council Member Turner: You got five-minutes, take your time. You got five-minutes.

Council Member Gray: Well this has been to committee. I was at the committee meeting. So, if I make a motion to table, it's just means to table until later, correct, later in this meeting?

Council Member Turner: Certain date.

Council Member Gray: Ok, I make a motion to postpone 'til the next Council meeting and in the meantime, I would request that um, that Commissioner Tracy provide us with a commitment that they're writing a grant for body cameras.

Council Members Guy and Congo: Second.

President Shabazz: It's been moved and seconded that Resolution 4765 be postponed to the next Council meeting February 20. All those in favor signify by saying Aye. Those Opposed. Voice vote please.

Council Member Guy: Call for a roll call vote.

President Shabazz: Sir, excuse me. Excuse me. Councilman Guy do not speak out. Raise your hand and I will recognize you. I'm not, I'm not...

Council Member Guy: Point of order.

President Shabazz: Mr. Guy, your out of order unless I...

Council Member Guy: I'm not order when I say point of order.

President Shabazz: Mr. Guy.

Council Member Guy: Point of order.

President Shabazz: You're out – been point of order.

Council Member Guy: You're supposed to ask, what is my point of order because you don't know.

President Shabazz: What's your point of order Mr. Guy?

Council Member Guy: Point of order is that it's a request for a roll call vote. We just did a voice vote.

President Shabazz: I said, Mr. Guy, if you would allow me to conduct my meeting and not be disrespectful and continue to talk over me, I'm not having that no more, ok? If you want, you want us to follow things orderly, then you need to conduct yourself orderly. And, I'm not, that's it.

Council Member Guy: And, I requested a roll call vote.

Mrs. Seijo (City Clerk): You're doing a roll call?

President Shabazz: That's what I ask for, right. That's what I ask for.

Upon a motion of Council Member Gray, seconded by Council Members Guy and Congo, to *postpone action until February 20* Council meeting was **DEFEATED** by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Turner and Guy. Total, four. Nays, Council Members Oliver, McCoy, Johnson, Freel, Adams and Dixon, and Council President Shabazz. Total, seven. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Your request is defeated. Any other comments from members of Council?

Council Member Johnson made closing comments.

President Shabazz: Are there any comments from the public?

Public Comment Speakers:

- Earl Tate
- Allen Lawrence
- Donald Ferrell

Council Member Guy made additional comments. Council Member Oliver made additional comments. Council Member Congo made additional comments. Council Member Turner made comments. Council Member Guy made additional comments. Council Member McCoy made comments. Council Member Congo made additional comments. Council Member Adams made comments. Council Member Gray raised a question. President Shabazz made comments. Council Member Johnson made comments.

Council Member Congo: Point of order. Point of order.

President Shabazz: Everybody has been out of order all night.

Council Member Congo: Point of order...

President Shabazz: Everybody's has been out of order (inaudible)...

Council Member Congo: ...point of order, you just asked for us to stay...

President Shabazz: Point of order.

Council Member Congo: Thank you. You just asked for us to say, to stay to the Resolution.

President Shabazz: And nobody did. So...(inaudible)...

Council Member Congo: ...you just asked ...(inaudible)...you did...

President Shabazz: I did.

Council Member Congo: ...ok, thank you.

Council Member Johnson made closing comments.

President Shabazz: Clerk will call the roll 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 Member Oliver, Turner, McCoy, Johnson, Freel, Adams and Dixon, and Council President Shabazz. Total, eight. Nays, Council Members Congo and Guy: Total, two. Present, Council Member Gray. Total, one. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Johnson: Ok Madam President, I have another Resolution to present.

Council Member Johnson presented Resolution No. 20-004 (Agenda #4766) 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 Wilmington Police Department ("WPD"), has submitted pass-through grant applications to the State of Delaware Criminal Justice Council ("CJC") via the United States Department of Justice's ("USDOJ") Stop Violence Against Women Act Grant Program for a total of \$33,685.00; and

WHEREAS, the grant funds will be used to provide funding in the amount \$33,685.00 for overtime to be dedicated to the enforcement of Protection From Abuse (PFA) order warrant attempts; and

WHEREAS, an in-kind match of \$11,431.00 is required by the grant, however, these monies will be provided by WPD via already budgeted funds; 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 Wilmington Police Department's grant applications to the State of Delaware in the total amount of \$33,685.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City. Although the grant requires an \$11,431.00 in-kind match, these monies will be provided by WPD via already budgeted funds.

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 and made comments. Council Member Congo made comments. Council Member Gray made comments.

President Shabazz: Seeing no other comments from members of Council, is there any comments from the public? Seeing none, I see no other comments from members of Council, 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 Member 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 Johnson: Madam President, I have another Resolution to present.

Council Member Johnson presented Resolution No. 20-005 (Agenda #4767) 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 Wilmington Police Department ("WPD"), has submitted grant applications to the State of Delaware Department of Safety and Homeland Security for funding from the State Aid to Local Law Enforcement ("SALLE") grant program in the amount of \$54,384.63; and

WHEREAS, the Department proposes to use funds received from the SALLE grant program to provide advanced and specialized training in the areas of both law enforcement and drug enforcement; and

WHEREAS, advanced and specialized training for sworn personnel is essential for the Department as it is required to equip officers with specialized skills, and will enhance their capabilities as law enforcement officers; and

WHEREAS, the proposed training will include areas such as Advanced S.W.A.T. Training, Proactive Internal Affairs investigations, and Supervisory Leadership Training, amongst others; and

WHEREAS, the funds will be used for both on-site and off-site training, including travel, lodging, and registration fees for the sworn members of the Department; 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 Wilmington Police Department's grant applications to the State of Delaware Department of Safety and Homeland Security in the total amount of \$54,384.63 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

Upon a motion of Council Member Johnson, seconded by Council Member Dixon, 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.

President Shabazz: Seeing no more comments from members of Council, is there any um, um, comments from the public? Seeing none, seeing no more comments from members of Council, Councilman Johnson can you give closing comments please?

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

President Shabazz: Declare it adopted.

Council Member Johnson: Alright, ah, Madam President, I have another Resolution to present.

Council Member Johnson presented Resolution No. 20-006 (Agenda #4768) 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 Wilmington Police Department ("WPD"), has submitted grant applications to the State of Delaware Department of Safety and Homeland Security for funding from the State Law Enforcement Assistant Fund ("SLEAF") in the amount of \$78,000.00; and

WHEREAS, the proposed grant funds would be used purchase a Type II Explosive Ordnance Disposal ("EOD") Robot (Remotec model #F6B); and

WHEREAS, the current Ordnance Disposal Unit utilized by WPD is over 16 years old. It has deteriorated in reliability, and recently experienced a catastrophic failure; and

WHEREAS, the proposed new upgraded unit presents an extra layer of protection to police personnel, as the bomb disposal unit is controlled from a distance and will demonstrate higher reliability, leading to greater safety to WPD Officers operating and supporting the unit, as well as the general public; 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 Wilmington Police Department's grant applications to the State of Delaware Department of Safety and Homeland Security in the total amount of \$78,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

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.

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

Public Comment Speakers:

- Nadine Frost
- Donald Ferrell

President Shabazz: Seeing no other comments from members of Council, Councilman Johnson, please give us closing.

Council Member Johnson made closing comments.

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

President Shabazz: Declare it adopted.

Council Member Johnson: Madam President, I have another Resolution to present.

Council Member Johnson presented Resolution No. 20-007 (Agenda #4769) 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 Wilmington Police Department ("WPD), has submitted grant applications to the State of Delaware Department of Safety and Homeland Security for funding from the State Law Enforcement Assistant Fund ("SLEAF") in the amount of \$18,000.00; and

WHEREAS, the proposed grant funds would be used make an equipment purchase; and

WHEREAS, the Department requests to retrofit currently existing departmental weapons. The grant funds would be used to purchase equipment for the purpose of improving the stocks and ammunition capabilities on the existing departmental shotguns; and

WHEREAS, the proposed upgrades will improve the handling and storage of the weapons; 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 Wilmington Police Department's grant applications to the State of Delaware Department of Safety and Homeland Security in the total amount of \$18,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

Upon a motion of Council Member Johnson, seconded by Council Member Dixon, 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 Gray made comments.

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

Public Comment Speaker:

- Donald Ferrell

President Shabazz: Seeing no other comments from members of Council, Councilman Johnson can you give a short close out?

Council Member Johnson made closing 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, Congo, Oliver, Turner, McCoy, Johnson, Freil, Adams, Dixon and Guy and Council President Shabazz. Total, eleven. Nays, none. Total, one. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Johnson: Madam President, I have another Resolution to present. It won't be much more.

Council Member Johnson presented Resolution No. 20-008 (Agenda #4770) 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 Wilmington Police Department ("WPD"), has submitted grant applications to the State of Delaware Criminal Justice Council in the amount of \$100,000.00; and

WHEREAS, the proposed grant funds would be used purchase ten (10) Trikke Police Interceptor mobile vehicles along with safety equipment and training; and

WHEREAS, the mobile vehicles will help officers maintain an increased presence in public areas where traditional vehicles cannot gain access (ex. River Walk, bike paths, city parks, etc.); and

WHEREAS, the vehicle has been tested on site, and officers found that they were more readily able to interact with the community while using those vehicles as opposed to patrol cars.; and

WHEREAS, the vehicle is able to put officers in direct contact with the community while simultaneously enabling the officer to respond quickly to an incident; 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 Wilmington Police Department's grant applications to the State of Delaware Criminal Justice Council in the total amount of \$100,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, 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 to the City as no local matching funds are required by the grants.

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 Turner raised questions and Council Member Johnson responded. Council Member Congo raised questions and made comments and President Shabazz and Council Member Johnson responded. Council Member Congo made

additional comments. Council Member Guy made comments. Council Member Oliver made comments. Council Member Turner made additional comments. Council Member McCoy made comments. Council Member Guy made additional comments.

Council Member Oliver: Point of order, are we staying...

Council Member Guy: Oh, you always don't want to hear what's being said.

Council Member Oliver: ...(inaudible)...come on...

Council Member Guy: I'm on my topic. Say what you want with your five-minutes. That's all. I don't care. You'll never see me interrupt you.

Council Member Oliver: You right. Go ahead.

Council Member Guy continued with his comments. Council Member Oliver made additional comments.

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

Public Comment Speakers:

- Dale Thomas
- Nadine Frost
- Allen Lawrence
- Earl Tate
- Christina Johnson
- Don McClay
- Justice Grimes

Council Member Turner made additional comments and raised questions, and President Shabazz responded Council Member Turner made additional comments and raised additional questions and Council Member Johnson responded. Council Member Gray made comments. President Shabazz made comments. Council Member Guy made comments. President Shabazz made comments. Council Member Guy made additional comments.

President Shabazz: Councilman Guy, you're out of order. You're out of order.

Council Member Guy: You haven't even heard me finish the sentence yet, because you don't want to hear it.

President Shabazz: Because what you're talking about is not Resolution.

Council Member Guy: You don't what I'm talking about.

President Shabazz: Councilman Guy you are out of order. Now, do you want to comment to this Resolution. I'm giving you permission to speak to the Resolution.

Council Member Guy: So, I need to get to finish my sentence before you know whether it's related or not.

Back and forth between President Shabazz and Council Member Guy whether he is out of order. Council Member Guy continued his comments.

Council Member Guy: So, I'm a just make a motion that we postpone this to the next meeting so that the Administration who under our Charter, I believe it is, they're authorized to have a person at every Council meeting who have the privilege of the floor.

Council Member Congo made comments. Council Member Dixon made comments. Council Member Guy made additional comments.

Council Member Guy: Yes, my motion was to postpone this to the next meeting...

Council Member Gray: I second it.

Council Member Guy: ...but these informational needs, need to be addressed including whether we got to negotiate and what other things, like the Councilwoman said, can this grant be used for, is it only, can it only be used for trikes? So, I think um, and in light of what happened with the cameras claiming that it has to be negotiated, we need to know that too. So, I make a motion to postpone it to the next meeting...

Council Member Gray: I second.

Council Member Guy: ...and refer it to the Public Safety Committee, um...

Council Member Congo: Second.

President Shabazz: It's been moved and seconded that this Resolution be postponed to the next um, Council meeting. All those in favor signify by saying Aye. Those Opposed.

Council Member Turner: Roll call.

Upon a motion of Council Member Guy, seconded by Council Members Gray and Congo, **to Postponed action until February 20 Council meeting was *PASSED*** by the following Yea and Nay Roll Call Vote: 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: Declare it adopted. The Resolution will be postponed and referred back to the Public Safety meeting. Any more Resolutions?

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

On behalf of President Shabazz, Council Member Johnson Ordinance No. 20-004 (Agenda #4759) entitled:

AN ORDINANCE TO APPROVE AND ADOPT THE MAJOR
SUBDIVISION PLAN KNOWN AS "SOUTH ROAD CONNECTOR"
AND ACCEPT DEDICATION OF AN UNNAMED STREET
BETWEEN THE SOUTH WALNUT STREET ACCESS ROAD
AND GARASCHE LANE TO BE ADDED TO THE OFFICIAL
CITY MAP

FISCAL IMPACT: This Ordinance has no significant anticipated fiscal impact.

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

President Shabazz: Seeing no other – seeing no other comments from members of Council, is there any, um, comments from the public? Seeing none, again seeing no more comments from members of Council, Mr. Johnson, just closed it out please.

Council Member Johnson made closing comments.

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

President Shabazz: Declare it adopted.

Council Member Johnson: Thank you ah Madam President and that concludes my items tonight.

President Shabazz: Any legislation Council Member Freel?

Council Member Freel: None.

President Shabazz: Council Member Adams.

Council Member Adams: Madam President, thank you for the opportunity but I'm going to hold this legislation this evening.

Note: Agenda #4771 was held.

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

Council Member Dixon: Nothing tonight Madam President.

President Shabazz: Council Member Guy.

Council Member Guy: Yes, Madam President, I have a Resolution to present, agenda item 4761.

Council Member Guy presented Resolution No. 20-009 (Agenda #4761) as follows:

WHEREAS, City Council member Samuel L. Guy seeks to award a grant of \$1,000 to Christina Cultural Arts Center, Incorporated, from his portion of Council's Discretionary Funds and this grant must be approved by Council since it will cause the grant total for this budget year to exceed a threshold amount; and

WHEREAS, Section 2-369 of the City Code requires grants awarded by City Council in the amount of \$5,000 or more to be approved by resolution of City Council; and

WHEREAS, the mission of the Christina Cultural Arts Center Inc. is "to make affordable arts, education, career training, exhibitions and live performances accessible to youth and adults in a welcoming learning environment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that authorization for City Council member Samuel L. Guy to award a grant of \$1,000 to Christina Cultural Arts Center, Incorporated, from his portion of Council's Discretionary Funds is approved.

Upon a motion of Council Member Guy, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed.

Council Member Guy made comments. Council Member Turner requested to be added as a co-sponsor.

President Shabazz: Seeing no other comments from members of Council, are there any comments from the public? Seeing none, if there's no more comments from members of Council, Mr. Guy will you have any closing comments?

Council Member Guy did not have any further 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, Congo, Oliver, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy and Council President Shabazz. Total, eleven. Nays, none. Total, one. Absent, Council Members Harlee and Walsh. Total, two.

President Shabazz: Declare it adopted.

Council Member Guy: Madam President, I have an Ordinance to present and call for the first and second reading.

Council Member Guy presented and called for the first and second reading Ordinance No. 20-007 (Agenda #4772) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE
CITY CODE REGARDING THE INSPECTIONS OF
RENTED OR LEASED DWELLINGS OR BUILDINGS
FOR RESIDENTIAL OCCUPANCY

FISCAL IMPACT: Currently, Section 34-45 requires any dwelling or dwelling unit in a dwelling or building consisting of five or fewer units to be inspected every two years, and every dwelling or dwelling unit in a building with six or more units to be inspected every five years. This Ordinance requires pre-rental inspections of all dwellings and dwelling units prior to the lease, rental, or renewal of an existing lease agreement of such unit. The projected fiscal impact of this Ordinance, determined based on an estimated 15,000 rental units with a vacancy rate of 25%, is an annual cost of \$541,000.

The above-reference Ordinance was given two separate readings by title only and upon a motion of Council Member Guy, seconded by Council Members Freel and Dixon, the Ordinance was received, recorded and referred to the Community Development & Urban Planning Committee. Motion prevailed.

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

President Shabazz: Thank you. Petitions and communications.

PETITIONS AND COMMUNICATIONS

Council President and Council Members spoke on the following: members of the public were thanked for coming out to the Council meeting and making comments; the need to have someone from the Administration at Council meetings to address questions pertaining to legislation; body cameras; a moment of silence was giving for Kobe Bryant (24 seconds); announcement of community events throughout the City; Wilmington Housing Partnership; funding for schools; announcements of upcoming committee meetings; the Charter; the number of threshold for police; Black History Month; WITN – Wilmington First and including but not limited to, Census.

ADJOURNMENT

Upon a motion of Council Member Freel, seconded by Council Member McCoy, Council adjourned at 9:40 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk