

*Wilmington, Delaware
Louis L. Redding
City/County Building
January 16, 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, Harlee, Turner, McCoy, Johnson, Freel, Adams and Dixon, and Council President Shabazz. Total, eleven. Absent with leave, Council Members Guy and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of January 9, 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 Safety Committee Member</u> | <u>Present</u> | <u>Absent with Leave</u> | <u>Absent w/out Leave</u> |
|--|-----------------------|---|--|
| Loretta Walsh, Chair | | X | |
| Christofer C. Johnson, Vice Chair | X | | |
| Ciro Adams | | X | |
| Charles M. "Bud" Freel | X | | |
| Michelle Harlee | | X | |
| Yolanda McCoy | X | | |
| Dr. Hanifa Shabazz, Ex-Officio | | X | |

President and Members of Council of
The City of Wilmington

December 9, 2019

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 19-054** entitled:

AN ORDINANCE TO AMEND CHAPTER 36 TO REPEAL
BEGGING AND PANHANDLING PROVISIONS FROM
THE WILMINGTON CITY CODE

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

Respectfully submitted, Members of
Public Safety Committee
/s/Christofer C. Johnson, Vice Chair
/s/Charles M. Freel
/s/Yolanda McCoy

Upon a motion of Council Member Freel, 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

January 7, 2020

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred **Ordinance No. 19-030** entitled:

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

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/Ciro Adams
/s/Ernest Congo, II
/s/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

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

The City Clerk read the following committee report:

| <u>Finance & Economic Development Committee Member</u> | <u>Present</u> | <u>Absent with Leave</u> | <u>Absent w/out Leave</u> |
|--|----------------|----------------------------------|-------------------------------|
| Charles M. "Bud" Freel, Chair | X | | |
| Ciro Adams | X | | |
| Linda M. Gray | X | | |
| 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

January 8, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred
Ordinance No. 19-055 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.

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/Zanthia Oliver
/s/Hanifa Shabazz, Ex-Officio Member

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

TREASURER'S REPORT

The following Treasurer's Report as of January 15, 2020, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Member Freel, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 6.

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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 January 15, 2020

Cash on Hand:

| | | |
|---|------------|------------------------|
| General Account | M & T Bank | \$8,695,153.96 |
| Central Deposit | M & T Bank | \$639,368.74 |
| Payroll | M & T Bank | \$780,763.64 |
| Total Petty Cash Accounts | M & T Bank | \$11,212.11 |
| Grant-In-Aid | M & T Bank | \$152,196.30 |
| Evidence/Found Currency Account | M & T Bank | \$983,974.70 |
| 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 | \$29,453.42 |
| Pension Payroll Account | M & T Bank | \$168,538.32 |
| 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 | \$216,148.43 |
| Police Pension Account | M & T Bank | \$402,241.13 |
| Fire Pension Account | M & T Bank | \$12,201.56 |
| Worker's Comp 3rd Party Account | M & T Bank | \$27,186.00 |
| Retiree Healthcare Account | M & T Bank | \$262,858.87 |
| SubTotal | | \$12,422,588.08 |
| Total Cash on Hand | | \$12,422,588.08 |

INVESTMENTS January 15, 2020:

| Fund | Institution | Invest. Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---------------------------|----------------------|-----------------|------------------|------------------|------------------------|-------------------------|
| GENERAL FUND: | | | | | | |
| 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 | 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 | 3/26/2020 | 1.70% | \$12,726.39 | \$3,500,000.00 |
| General ¹ | WSFS | CD | 2/11/2020 | 1.55% | \$64,972.60 | \$17,000,000.00 |
| SUB-TOTAL: | | | | | | \$49,037,358.61 |
| 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% | \$64,905.38 | \$8,286,087.28 |
| Worker's Comp | TD | CD | 6/30/2020 | 1.63% | \$64,905.38 | \$8,286,087.28 |
| Retiree Medical Escrow | Vanguard-OPEB | | | | | \$25,348,434.00 |
| SUB-TOTAL: | | | | | | \$41,920,608.56 |
| PENSION FUND: | | | | | | |
| Non-Uniform 1990 | WSFS | CD | 1/29/2020 | 1.45% | \$6,482.09 | \$4,410,000.00 |
| 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: | | | | | | \$252,780,402.00 |
| OTHER: | | | | | | |
| Deferred Comp. | MassMutual | | | | | \$50,468,218.05 |
| Contractual Requirements | WSFS | CD | 1/15/2020 | 1.66% | \$12,605.03 | \$3,037,356.74 |
| Port Debt | WSFS | CD | 2/12/2020 | 1.40% | \$4,705.96 | \$1,978,890.00 |
| Total Investments | | | | | | \$422,613,681.40 |
| Total Cash on Hand | | | | | | \$12,422,588.08 |
| Grand Total | | | | | | \$435,036,269.48 |

¹ Budget Reserve

Velda Jones-Potter
Velda Jones-Potter, 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:

All Council Recognize Howard High School Football Division II State Champions

LEGISLATIVE BUSINESS

President Shabazz: Council Member Gray, any legislation tonight?

Council Member Gray: None tonight.

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 call for the first and second reading.

Council Member Oliver presented and called for the first and second reading Ordinance No. 20-003 (Agenda #4758) entitled:

AN ORDINANCE TO ENACT A TEMPORARY MORATORIUM
ON THE ISSUANCE OF NEW BUSINESS LICENSES TO
LIQUOR STORES SEEKING TO OPERATE IN THE THIRD
COUNCILMANIC DISTRICT

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

President Shabazz: Councilman Johnson you're presenting on behalf of Councilwoman Walsh, whose presenting on behalf.

Council Member Johnson: Yes. Good evening Madam President, I have an Ordinance to present on your behalf and I'm calling for the first and second reading.

On behalf of President Shabazz, Council Member Johnson presented and called for the first and second reading 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 CITY 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.

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

President Shabazz: Council Member Turner.

Council Member Turner: Thank you Madam President, yeah, I have a Substitute Ordinance to present.

Mrs. Seijo (City Clerk): Present the original first sir.

Council Member Turner: Yes.

Council Member Turner presented and called for the third and final reading Ordinance No. 19-030 (Agenda #4667) entitled:

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

FISCAL IMPACT: The fiscal impact of this Ordinance is a contract for the period of twenty years from July 1, 2019 through June 30, 2029, at an estimated total price of Two Million, Two Hundred Ninety-Four Thousand, Eight Hundred Eighty-Three Dollars (\$2,294,883). If the City is able to obtain an Efficient Energy Investment Fund Grant from DNREC, the estimated net cost of the Contract would be reduced to Two Million, One Hundred Twenty-One Thousand, Six Hundred Eighty-Three Dollars (\$2,121,683).

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

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

FISCAL IMPACT: The fiscal impact of this Ordinance is a contract for the period of twenty years from February 1, 2020 through January 31, 2040, at an estimated total price of Two Million, Two Hundred Ninety-Four Thousand, Eight Hundred Eighty-Three Dollars (\$2,294,883). If the City is able to obtain an Efficient Energy Investment Fund Grant from DNREC, the estimated net cost of the Contract would be reduced to Two Million, One Hundred Twenty-One Thousand, Six Hundred Eighty-Three Dollars (\$2,121,683).

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 Substitute Ordinance.

Council Member Turner: Madam President, I make a motion also, make a motion, I would like to make a motion for a floor amendment at this time.

On the Third Whereas Clause on Page 2:

- Strike out “July 1, 2019” and replace it with “February 1, 2020”
- Strike “June 30, 2039” and replace it with “January 31, 2040”

On Page 2, Section 1:

- Strike “July 1, 2019” and replace it with “February 1, 2020”

On Page 3, Synopsis:

- Strike “July 1, 2019” and replace it with “February 1, 2020”

On Page 3, Fiscal Impact:

- Strike “July 1, 2019” and replace it with “February 1, 2020”
- Strike June 30, 2039” and replace it with January 31, 2040”

Council Member Freel: Second.

President Shabazz: It’s been properly moved and seconded, that the Ordinance be amended as, as, as presented. On the question. All those in favor signify by saying “Aye”. Any Opposed? Amendment is accepted. We return to the discussion on the amendment, amended, um, Ordinance.

Council Member Turner noted why the legislation was amended. Council Member Gray raised a question and President Shabazz responded. Council Member Dixon made comments and mentioned she would be voting present. Council Member Harlee made comments. Council Member Oliver made comments. Council Member Adams made comments. Council Member Turner made additional comments and thanked several individuals.

President Shabazz: Are there any comments from the public? Seeing none, Clerk will call the roll.

The above-referenced **Substitute** Ordinance, **As Amended**, 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, Harlee, Turner, McCoy, Johnson, Freel and Adams, and Council President Shabazz. Total, ten. Nays, none. Present, Council Member Dixon. Total, one. Absent, Council Members Guy and Walsh. Total, two.

President Shabazz: Declare it adopted. Any legislation Council Member McCoy?

Council Member McCoy: Nothing tonight Madam President.

President Shabazz: Council Member, yes Council Member Harlee?

Council Member Johnson: Yes, Council President, I wanted to be added as sponsor, as a co-sponsor on the legislation.

President Shabazz: It's passed already.

Council Member Harlee: I had my hand up.

President Shabazz: Council Member Johnson.

Council Member Johnson: Good evening Madam President, I this time I have an Ordinance to present and call for a third and final reading.

Council Member Johnson presented and called for the third and final reading Ordinance No. 19-054 (Agenda #4747) entitled:

AN ORDINANCE TO AMEND CHAPTER 36 TO REPEAL
BEGGING AND PANHANDLING PROVISIONS FROM
THE WILMINGTON CITY CODE

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

AN ORDINANCE TO AMEND CHAPTER 36 TO REPEAL
BEGGING AND PANHANDLING PROVISIONS FROM
THE WILMINGTON CITY CODE

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

Substitute Ordinance and made comments. Council Member Gray made comments and raised a question. Council Member Oliver made comments. Council Member Johnson made additional comments.

President Shabazz: Are there any comments from the public? Seeing none, Clerk will call the roll.

The above-referenced **Substitute** 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 Congo, Oliver, Harlee, Turner, McCoy, Johnson, Adams and Dixon, and Council President Shabazz. Total, nine. Nays, Council Members Gray and Freel. Total, two. Absent, Council Members Guy and Walsh. Total, two.

President Shabazz: Declare it adopted. Council Member Freel.

Council Member Freel: Yes, I have ah, one Ordinance for a third and final.

Council Member Freel presented and called for the third and final 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.

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

President Shabazz: Seeing no more comments from members of Council, is there any members of the public? Any comments from the public? Seeing none, 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, Harlee, Turner, McCoy, Johnson, Freel, Adams and Dixon, and Council President Shabazz. Total, ten. Nays, none. Present, Council Member Oliver. Total, one. Absent, Council Members Guy and Walsh. Total, two.

President Shabazz: Declare it adopted.

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

President Shabazz: Council Member Adams.

Council Member Adams: Ah, no legislation this evening ma'am, thank you.

President Shabazz: Council Member Dixon.

Council Member Dixon: Um, nothing tonight Madam President.

President Shabazz: Council Member Turner you're presenting on behalf of Council Member Guy?

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

On behalf of Council Member Guy, Council Member Turner presented and called for the first and second reading Ordinance No. 20-005 (Agenda #4760) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES ON A TAX-EXEMPT AND/OR TAXABLE BASIS, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO REFUND CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

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

Council Member Turner: Madam President, I have another Resolution that Councilman Guy is going to hold.

**Note: Agenda #4761 was Held.*

President Shabazz: Ok.

Council Member Turner: Thank you. That's all I have 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; individuals and colleagues were thanked on various things; everyone was thanked for coming out to the gun violence discussion meeting and announcement was made of a follow-up meeting to take place in March; meeting regarding mental illness/gun violence; Teen Town Hall meeting; Howard High School Football Team; education and its importance; the need to establish a school district in Wilmington; announcement of school funding litigation against the three counties will be Jan. 17; Black History Month events; Councilwoman Harlee was congratulated for being recognized by IMAC; Puerto Rico relief efforts; early delivery of new trash bins, which will be done throughout the City, and including, but not limited to, Council was reminded to utilize the WITN message bulletin board to inform the residents of the various events in their districts accordingly.

ADJOURNMENT

Upon a motion of Council Member Freel, seconded by Council Members Dixon and McCoy, Council adjourned at 7:32 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk