

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
July 9, 2020*

City Council met in “**virtual**” 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, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen.

### **MINUTES**

After reading a portion of the minutes of July 2, 2020, upon a motion of Council Member Congo, seconded by Council Member Walsh, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Public Safety Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Loretta Walsh, Chair	✓		
Christofer C. Johnson, Vice Chair	✓		
Ciro Adams	✓		
Charles M. “Bud” Freel	✓		
Michelle Harlee	✓		
Yolanda McCoy	✓		
Dr. Hanifa Shabazz, Ex-Officio	✓		

President and Members of Council of  
The City of Wilmington

July 6, 2020

Ladies and Gentlemen:

We, your Public Safety Committee by **Virtual** meeting, to who was referred **Ordinance No. 20-032** entitled:

AN ORDINANCE TO AUTHORIZE THE WILMINGTON POLICE  
DEPARTMENT TO PUBLISH A PUBLIC VERSION OF THE  
WILMINGTON POLICE OFFICER'S MANUAL WITH ONLY  
THOSE REDACTIONS REQUIRED BY LAW AND PUBLIC  
POLICY

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

Respectfully submitted, Members of  
Public Safety Committee

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

**TREASURER'S REPORT**

The following Treasurer's Report as of July 9, 2020, was read into the  
record by City Clerk and upon a motion of Council Member Congo, seconded by Council  
Members Freel and Walsh, 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) 576-2480  
treasurer@wilmingtonde.gov



## Treasurer's Report July 09, 2020

### Cash - Ledger Balance (as of 7/08/2020):

General	M & T Bank	\$ 8,380,533.00
Payroll	M & T Bank	\$ 917,600.54
Worker's Comp 3rd Party	M & T Bank	\$ 25,000.00
Total Petty Cash	M & T Bank	\$ 5,471.94
Law Department Court Costs	M & T Bank	\$ 4,070.07
Grant-in-Aid	M & T Bank	\$ 152,196.30
Community Development Block Grant	M & T Bank	\$ 1.00
Capital Projects	M & T Bank	\$ 1.00
Evidence/Found Currency	M & T Bank	\$ 1,046,570.32
Police & Fire Remembrance	M & T Bank	\$ 7,469.49
Police Department Discretionary	M & T Bank	\$ 21,608.51
Rent Withholding Escrow	M & T Bank	\$ 4,137.97
<b>Sub-total</b>		<b>\$ 10,564,660.14</b>
<b>Total Cash on Hand</b>		<b>\$ 10,564,660.14</b>

### Cash Equivalents & Investments (as of 7/08/2020):

Account Type & Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo	7/9/2020	0.01%	\$ 3.13	\$ 12,399,037.13
General	TD	CD	8/3/2020	0.17%	\$ 1,756.66	\$ 12,000,000.00
General	WSFS	CD	7/16/2020	1.40%	\$ 11,537.20	\$ 1,978,890.00
<b>SUB-TOTAL:</b>						<b>\$ 13,978,890.00</b>
<b>RESERVE:</b>						
General	TD	CD	7/20/2020	0.17%	\$ 2,488.61	\$ 17,000,000.00
<b>SUB-TOTAL</b>						<b>\$ 17,000,000.00</b>
<b>RESTRICTED:</b>						
Capital Project	TD	CD	7/9/2020	0.08%	\$ 849.45	\$ 7,645,036.68
Capital Project	TD	CD	7/9/2020	0.08%	\$ 1,515.00	\$ 13,635,005.47
Water/Sewer	TD	CD	8/11/2020	0.17%	\$ 475.29	\$ 3,049,961.78
<b>SUB-TOTAL</b>						<b>\$ 24,330,003.93</b>
<b>Total Investments</b>						<b>\$ 55,308,893.93</b>
<b>Total Cash on Hand</b>						<b>\$ 10,564,660.14</b>
<b>Grand Total</b>						<b>\$ 65,873,554.07</b>

<sup>1</sup> Budget Reserve

Velda Jones-Potter, City Treasurer

**Treasurer's Report (Pensions)**
**Cash Ledger (as of July 8, 2020):**

Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	174,836.14
Non-Uniform Pension Plan 2	M & T Bank	\$	1,500.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Police Pension	M & T Bank	\$	422,308.80
Fire Pension	M & T Bank	\$	41,601.06
Pension Payroll	M & T Bank	\$	139,048.17
Retiree Healthcare	M & T Bank	\$	120,991.89
<b>Sub-total</b>		\$	901,878.87
<b>Total Cash on Hand</b>		\$	901,878.87

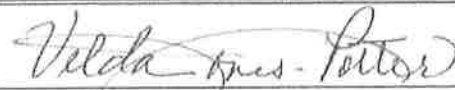
**Cash Equivalents & Investments**

Account Type & Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Pension Plan III	TD	CD	7/29/2020	0.17%	\$ 580.12	\$ 4,095,000.00
Fire Pension	TD	CD	7/29/2020	0.17%	\$ 219.58	\$ 1,550,000.00
<b>SUB-TOTAL:</b>						\$ 5,645,000.00
<b>RESERVE:</b>						
Pension Trust	Edgar Lomax					\$ 20,318,460.00
Pension Trust	Vanguard Fixed					\$ 34,080,109.00
Pension Trust	Earnest Partners					\$ 22,538,328.00
Pension Trust	Wilmington Trust					\$ 40,821,914.00
Pension Trust	Vanguard Stock Index					\$ 38,867,281.00
Pension Trust	Artisan Global					\$ 8,183,122.00
Pension Trust	Dodge & Cox					\$ 9,403,089.00
Pension Trust	Fidelity					\$ 10,638,792.00
Pension Trust	Harding Loevner					\$ 8,871,120.00
Pension Trust	MFS Management					\$ 24,085,868.00
Pension Trust	Clarion Lyon					\$ 9,851,965.00
Pension Trust	Money Market					\$ 501,343.00
Pension Trust	Morgan Stanley					\$ 7,019,889.00
Pension Trust	Vanguard-OPEB					\$ 24,649,580.73
<b>SUB-TOTAL</b>						\$ 259,830,860.73
<b>Total Investments</b>						\$ 265,475,860.73
<b>Total Cash on Hand</b>						\$ 901,878.87
<b>Grand Total</b>						\$ 266,377,739.60

**Total Funds under Treasury Management:**

<b>Total Investments</b>					\$	320,784,754.66
<b>Total Cash on Hand</b>					\$	11,466,539.01
<b>Grand Total<sup>1</sup></b>					\$	332,251,293.67

<sup>1</sup> Excludes non-City funds held in trust on behalf of City employees (Mass Mutual)


**Velda Jones-Potter, City Treasurer**

## **NON-LEGISLATIVE BUSINESS**

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

Shabazz            Sympathy Letter Jean Jenkins  
Shabazz            Recognize Last Stop to Freedom and the Call to Bury Racism

## **LEGISLATIVE BUSINESS**

Council Members Gray and Congo did not have any legislation to present this evening.

Council Member Oliver presented Resolution No. 20-047 (Agenda #4838) as follows:

**WHEREAS**, the Delaware Council on Police Training has outlined 801 Rules and Regulations relating to the qualifications and admission into the Police Academy of Police Officers and potential officers in the State of Delaware; and

**WHEREAS**, requirements and regulations include being a citizen of the United States of America, a high school graduate, and declared psychologically sound by a licensed psychologist or psychiatrist, and applicants with felonies or any criminal history are rejected. In addition, applicants are disqualified if they have been dishonorably discharged from military service; and

**WHEREAS**, applicants need only pass competency exams related to general law enforcement knowledge after acceptance and training at 70% to qualify; and

**WHEREAS**, these regulations also require the hiring department to complete a thorough background and character investigation of any applicant; however, there are no details regarding the extent of this character investigation, or the criteria utilized to determine eligibility; and

**WHEREAS**, social media is a strong determinant of character, and should be investigated thoroughly in the case of individuals applying to protect and serve a diverse community in order to identify persons with any affiliations or memberships with hate groups, such as Alt-Right, Neo-Nazis, KKK , or gang affiliations with drug related criminal activities symbolized through various skin tattoos, or hyper visible hate symbols or gang signs posted on social media pages ; and

**WHEREAS**, the Wilmington Police Department is not required to engage in implicit bias or sensitivity trainings to improve the unconscious attitudes or stereotypes of its members in community understanding, interaction, and policing; and

**WHEREAS**, a study by the Harvard Business Review in July 2019 revealed that diversity and sensitivity trainings helped employees “acknowledge their own racial biases, provide informal mentorship to racial minorities, and recognize the excellent work of their peers who were racial minorities;” and

**WHEREAS**, unconscious, or implicit, bias can be defined as “prejudice or unsupported judgments in favor of or against one thing, person, or group as compared

to another, in a way that is usually considered unfair” from research conducted by Vanderbilt University; and

**WHEREAS**, given the increasing diversity of our country evident in nearly every City, Town, County, and State, Police officers need ongoing, cutting-edge training in both identifying and managing unconscious and implicit biases they may bring with them to the police force; and

**WHEREAS**, it is necessary to rid public servants of such biases in order to improve their interactions with, and ensure they serve equally, all those in their communities they take an oath to protect; and

**WHEREAS**, training in racial literacy and cultural sensitivity would allow officers to better understand and value the diversity of American lifestyles, situations, and communication styles; and

**WHEREAS**, such diversity in the U.S. is present across all ages, races, genders, abilities, and nations of origin; and

**WHEREAS**, individuals unable to eliminate such biases should not be incorporated into the police force; and

**WHEREAS**, Forbes reports that, for unconscious bias and sensitivity training to be effective, it must be ongoing and long-term; and

**WHEREAS**, the Wilmington City Council is committed to a transparent and well-represented Wilmington, as well as a safe and secure Wilmington.

**BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that we encourage the Wilmington Police Department to immediately and permanently incorporate Unconscious Bias and Sensitivity trainings into their workplace curriculums and standards, beginning with trainings at the Police Academy. In addition, the Council strongly recommends that the Wilmington Police Department identify racist or gang related tattoos as immediate grounds for disqualification of potential applicants, and thoroughly investigate all applicant’s social media channels for hyper visible hate symbols as major disqualifying elements of an applicant’s character background checks.

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution. Council Member Gray made comments. Council Member Johnson made comments and requested to be added as a co-sponsor. Council Member Harlee made comments. President Shabazz made comments and noted as co-sponsor as well. Council Member Gray made additional comments. Council Member Oliver made a point of order and Council Member Gray responded. President Shabazz made additional comments.

At this time, President Shabazz opened up the floor for public comments and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to 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, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

On behalf of President Shabazz, Council Member Oliver presented Resolution No. 20-048 (Agenda #4840) as follows:

**WHEREAS**, the Wilmington Civil Rights Commission (the “Commission”) was established pursuant to City Code Section 35-36; and  
**WHEREAS**, City Code Section 35-37 provides that the Commission shall be comprised of seven (7) members, five (5) of whom shall be appointed by the Mayor and two (2) of whom shall be appointed by the President of City Council, all subject to confirmation by City Council; and

**WHEREAS**, City Code Section 35-38 provides that members of the Commission shall serve terms of three (3) years; and

**WHEREAS**, Mayor Michael S. Purzycki wishes to appoint the following five (5) members to the Commission: Brionna Denby, Esquire, Nate Durant, Luz D. Maldonado, John Mitchell, and Amy O’Neill; and

**WHEREAS**, City Council President Hanifa Shabazz wishes to appoint the following two members to the Commission: Garrison Davis and Kathleen Patterson; and

**WHEREAS**, City Council approves of said appointments and wishes to confirm the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that City Council hereby approves and confirms the appointment of Brionna Denby, Esquire, Nate Durant, Luz D. Maldonado, John Mitchell, Amy O’Neill, Garrison Davis, and Kathleen Patterson to the Wilmington Civil Rights Commission for terms of three (3) years ending on July 8, 2023.

Upon a motion of Council Member Oliver, seconded by Council Members Walsh and Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution.

At this time, President Shabazz opened up the floor for public comments and nobody desired the privilege of the floor.

Council Member Congo raised a question and Council Member Oliver responded. Council Members Congo and Turner made comments. Council Member Gray raised a question and President Shabazz responded. Council Member Johnson made comments.

President Shabazz requested the Clerk to 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, Harlee, Turner, McCoy, Johnson, Freel, Adams,

Dixon and Walsh, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Guy. Total, one.

President Shabazz declared the Resolution adopted.

On behalf of President Shabazz, Council Member Harlee presented Resolution No. 20-049 (Agenda #4841) as follows:

**WHEREAS**, the teaching of history and social studies in the United States is a fundamental path toward understanding the intricacies of culture, lived experiences, and our path forward as a nation; and

**WHEREAS**, scholars have consistently shown that history helps us understand ourselves, other people, how the society we live in came to be, contributes to moral understanding, and provides identity and self-worth relevant to where each of us fits into the story of the country we live in and have helped to develop; and

**WHEREAS**, the mis-teaching of such important subjects can have far-reaching, deleterious effects on students' understanding of society, themselves, and each other; and

**WHEREAS**, Euro-Centrism and Anglo-American Exceptionalism have seeped into public school curriculums, evident in the oversizing of the United States and Europe in world maps, standards requiring enslaved African and African-American persons be referred to as workers, African nations depicted as primitive, and embargoes on the discussion of Japanese internment and American war crimes; and

**WHEREAS**, in 2018, the Southern Poverty Law Center conducted online surveys of 1,000 American high-school seniors, more than 1,700 social studies teachers, 10 commonly used U.S. History textbooks, and 15 sets of state standards to assess what students know, what educators teach, what publishers include, and what standards exist regarding the teaching of American slavery; and

**WHEREAS**, this study revealed that Among 12th-graders, only 8% could identify slavery as the cause of the Civil War; only 32% correctly named the 13th Amendment as the constitutional amendment that ended slavery in the United States; and fewer than 50% could identify the "Middle Passage" as the transport of enslaved Africans across the Atlantic Ocean from various unnamed African nations to North America; and

**WHEREAS**, the experiences of Indigenous and other People of Color were found to be severely misrepresented when covered at all; and

**WHEREAS**, history textbook analyses since 1934 (Reddick), notably those conducted in 1969 and 2015, evidence a lack of attention and accuracy given to Black History pre- and- post the enslavement of Africans and the centuries of third-class citizenship of African-Americans in U.S. society legally, educationally, economically and civically; and

**WHEREAS**, numerous educational organizations, including but not limited to the American Association of School Librarians, the Association for Supervision and Curriculum Development, and the National Council for the Social Studies are committed to critically engaging in discourse about curriculums.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council strongly recommends the establishment of a

Commission dedicated to supporting scholarly and accurate histories of African Americans, Native Indigenous and other Persons of Color in the United States within the textbooks used in Delaware public schools in social studies and history courses, in grades K through 12. The Commission shall:

1. Determine what textbooks are currently being used in grades K through 12 in social studies and history courses in Delaware public schools that present the histories of these people of color in the United States.
2. Determine the accuracy of scholarly representation of the historical narratives representing the cultures, contributions to society, and struggles of African-Americans, and other people of color such as Native Indigenous, and First Nation peoples, Latino and Hispanic Americans, and Asian Americans in textbooks currently used in grades K through 12 in Delaware public schools.
3. Determine where current textbooks are insufficient in the scholarly and accurate portrayal of the histories, cultures, contributions and struggles of these people of color to be recognized fully as human beings, American U.S. citizens and contributing members of U.S. society in medicine, law, fields of science, the economy, scholarship, arts and culture.
4. Make such determinations by consulting with and/or reviewing the recommendations of curricula professional associations that advise and provide research to public school districts serving grades K through 12 on textbooks that present accurate, scholarly, historic and social narratives about these diverse groups of American people of color.
5. Recommend replacing textbooks currently being used in any or all K through 12 social studies and history courses and classes taught in Delaware public schools found to be insufficient and/or inaccurate regarding American people of color with textbooks recommended from the curricula professional associations that meet the criterion sought of presenting and teaching accurate and scholarly historic and social narratives of African-Americans and all People of Color in U.S. American society.

Upon a motion of Council Member Harlee, seconded by Council Members Walsh and Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee requested to be added as a co-sponsor and spoke on the purpose of the Resolution. President Shabazz made comments. Council Member Oliver requested to be added as a co-sponsor and made comments. President Shabazz made additional comments. Council Member Gray made comments and President Shabazz made additional comments. Council Member Dixon raised a question and President Shabazz responded. Council Member Turner made comments and raised a question, and President Shabazz responded. Additional comments made by President

Shabazz and Council Member Turner. Council Member Harlee made comments and raised a question, and Council Member Turner responded. President Shabazz made additional comments.

At this time, President Shabazz opened up the floor for public comments and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to 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, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Guy. Total, one.

President Shabazz declared the Resolution adopted.

Council Members Turner and McCoy did not have any legislation to present this evening.

Council Member Johnson presented and called for the first and second reading Ordinance No. 20-034 (Agenda #4833) entitled:

AN ORDINANCE TO AMEND CHAPTER 35 OF THE CITY  
CODE TO CREATE A CITIZEN COMPLAINT REVIEW BOARD

**SYNOPSIS & FISCAL IMPACT:** This Ordinance amends the City Code by creating a Citizens Complaint Review Board authorized to investigate citizen complaints against law enforcement officers employed by the Wilmington Police Department, make reports of those investigations and recommend practice changes to the extent consistent with the current law as it exists now or may be amended in the future. The ordinance will have fiscal impact and the Board will require a budget to carry out its duties, but the amount or nature of the budgetary needs of the Board is not unknown.

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 Safety Committee. Motion prevailed.

Council Member Johnson **held** Agenda #4842.

Council Member Johnson presented and called for the third and final reading Ordinance No. 20-032 (Agenda #4832) entitled:

AN ORDINANCE TO AUTHORIZE THE WILMINGTON  
POLICE DEPARTMENT TO PUBLISH A VERSION OF

THE WILMINGTON POLICE OFFICER'S MANUAL WITH  
ONLY THOSE REDACTIONS REQUIRED BY LAW AND  
PUBLIC POLICY

Upon a motion of Council Member Johnson, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance and made comments. Council Member Harlee made comments and requested to be added as a co-sponsor. Council Member Oliver made comment and requested to be added as sponsor. Council Member Gray asked a procedural question and Council Member Harlee and President Shabazz responded. Council Member McCoy also requested to be added as co-sponsors. Council Member Congo raised a question and President Shabazz responded. A point of order was made by Council Member Turner and President Shabazz responded. Council Member Congo made comments and raised question and President Shabazz responded. Council Member Harlee made a comment and President Shabazz responded. Council Member Congo raised additional questions and President Shabazz responded. Council Member Congo made additional comments. Council Member Walsh noted she had already requested to be a co-sponsor. President Shabazz had also requested to be added as co-sponsor and inquired why the additional sponsors were not already on the legislation as noted in Committee and the Clerk responded and clarified the process. President Shabazz made comments. Council Member Turner made comments. Council Members Harlee and Walsh made additional comments. Council Member Turner made a point of order and President Shabazz responded. Council Member Turner made additional comments. President Shabazz made comments. Council Member Congo made additional comments. Council Member Guy made comments. President Shabazz made comments. Council Member Walsh made a point of order. Council Member Guy made additional comments. Council Member Johnson made a point of order and President Shabazz responded. Council Member Guy and President Shabazz made additional comments.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz request the Clerk to 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, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Ordinance adopted.

Council Member Freel presented and called for the first and second reading Ordinance No. 20-035 (Agenda #4843) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1  
TO THE FISCAL YEAR 2021 OPERATING BUDGET  
(BEING AN ORDINANCE TO AMEND SUBSTITUTE  
NO. 1 TO ORDINANCE NO. 20-016)

**SYNOPSIS & FISCAL IMPACT:** This Ordinance is the first amendment to the Fiscal Year 2021 Operating Budget Ordinance. It contains changes to the position allocation list and increased budget appropriations for the Police Department to fund a body camera program.

First, the amendment amends the Fiscal Year 2021 position allocation list (the "PAL") by increasing the authorized strength of the Police Department from a total of 315 to 319 sworn officers. Specifically, the PAL is amended by adding (i) one Sergeant position (an increase of total Sergeant positions from 37 to 38) and (ii) three Patrol Officer positions (an increase of total Patrol Officer positions from 257 to 260). Overall, the PAL has an increase of four (4.00) Fulltime Equivalent positions.

Second, the amendment increases the Fiscal Year 2021 budget appropriations for the Police Department both to pay for the salaries and benefits of the four new sworn officers and for the contract with the company that will provide the body cameras and related services to the City. To support the salaries and benefits cost of the four new sworn officers, the Police Department's FY 2021 General Fund Personal Services budget allocation is increased by \$400,000. In addition to the four new sworn officers, the City will enter into a five-year contract to purchase 319 body cameras and related services. The first year of the contract will cost \$542,388, which will be covered by a federal grant. To fund the cost of the contract, the Police Department's FY 2021 Special Funds Materials, Supplies, and Equipment budget appropriation is increased by \$542,388.

The total fiscal impact and budget appropriation increase to the FY 2021 budget for the Police Department body camera program is \$942,388, inclusive of all funds. The impact to the General Fund is \$400,000, which will be funded by utilizing the Tax Stabilization Reserve. The impact to the Special Funds is \$542,388, which will be funded with a federal grant.

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

Council Members Adams and Dixon did not have any legislation to present this evening.

Council Member Guy presented and called for the third and final reading Ordinance No. 18-041 (Agenda #4561) entitled:

AN ORDINANCE TO AMEND CHAPTER 8 OF THE  
CITY CODE TO REQUIRE THAT DEVELOPERS WHO  
RECEIVE FINANCIAL ASSISTANCE FROM THE CITY  
OF WILMINGTON ON RESIDENTIAL CONSTRUCTION  
PROJECTS REQUIRE THEIR CONSTRUCTION  
CONTRACTORS TO HIRE WORKERS FROM CLASS A  
APPRENTICE PROGRAMS

Upon a motion of Council Member Guy, seconded by Council Member Dixon, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Guy made comments and offered a floor amendment as follows:

Council Member Guy noted he emailed to members of Council and the Clerk late this afternoon changes to the above-referenced Ordinance and made comments. In addition, Council Member Guy moved to amend the above-referenced Ordinance as follows:

**Page 2: a (5)** For purposes of this section, a class A apprenticeship program is an apprenticeship program that is currently registered with and approved by the U.S. Department of Labor or a state apprenticeship agency and has graduated apprentices to journeyperson status for at least three of the past five years.

**Page 2: c (1)** Pay a wage of at least \$15.00 an hour during Year One to apprentices, effective upon passage, pay a wage of at least \$16.00 an hour during Year Two to apprentices; pay a wage of at least \$17.00 an hour during Year Three to apprentices; and pay a wage of at least \$18.00 an hour During Year Four to apprentices.

Council Member Walsh made a point of order and President Shabazz asked for clarity. Council Member Guy responded and continued with the floor amendment as follows:

**Year One**

- a) The developer, as defined in section (b), shall ensure that 15 percent of the workforce hired for the project, especially with respect to new workers recruited and hired for the project, includes city residents from Class A Apprenticeship Programs.
- b) To ensure compliance with this subsection, the developer, as defined in section (b), will also make residency information on its workforce available to the city upon request.
- c) To evaluate outcomes, affects and achievements toward the first-year goals, the agency granting economic incentives will evaluate compliance for this initiative in month twelve (12) of the first year.

Council Member Adams made a point of order and President Shabazz responded. Council Member Guy continued with the floor amendment as follows:

### **Year Two**

- a) The developer, as defined in section (b), shall ensure that 20 percent of the workforce hired for the project, especially with respect to new workers recruited and hired for the project, includes city residents from Class A Apprenticeship Programs.
- b) To ensure compliance with this subsection, the developer, as defined in section (b), will also make residency information on its workforce available to the city upon request.
- c) To evaluate outcomes, affects and achievements toward the first-year goals, the agency granting economic incentives will evaluate compliance for this initiative in month twelve (12) of the second year.

### **Year Three**

- a) The developer, as defined in section (b), shall ensure that 25 percent of the workforce hired for the project, especially with respect to new workers recruited and hired for the project, includes city residents from Class A Apprenticeship Programs.
- b) To ensure compliance with this subsection, the firm will also make residency information on its workforce available to the city upon request.
- c) To evaluate outcomes, affects and achievements toward the first-year goals, the agency granting economic incentives will evaluate compliance for this initiative in month twelve (12) of the third year.

### **Year Four**

- a) The developer, as defined in section (b), shall ensure that 30 percent of the workforce hired for the project, especially with respect to new workers recruited and hired for the project, includes city residents from Class A Apprenticeship Programs.
- b) To ensure compliance with this subsection, the developer, as defined in section (b), will also make residency information on its workforce available to the city upon request.
- c) To evaluate outcomes, affects and achievements toward the first-year goals, a Task Force will evaluate compliance for this initiative in month twelve (12) of the fourth year.

The term percent of the workforce hired for the project is defined as the percent of work hours on any Residential Project performed by apprentices in a Residential Construction Apprentice Program or individuals who have graduated from a Residential Construction Apprentice Program in the past two years.

**Section H:** In addition to any applicable Minimum Standards for Responsible Prospective Contractors on City Work in City Code Sec 2-563 – Contractor responsibility certifications, it is further required that the developer, as defined in section (b), for each separate trade or classification in which it employs craft employees shall continue to participate in such program or programs for the duration of the project.

**Section H (1):** To ensure compliance with this subsection, the developer, as defined in section (b), shall provide, with this certification, a list of all trades or classifications of craft employees it will employ on the project and documentation verifying it participates in a class A apprenticeship program for each trade or classification.

Council Member Dixon seconded the amendment.

**“On the Question”**

Council Member Guy spoke on the amendment. Council Members Oliver, Johnson, Harlee, Gray and Walsh made comments. Council Member Walsh made comments and recommended the legislation go back to committee.

**Roll Call on Amendment:**

Upon a motion of Council Member Guy, seconded by Council Member Dixon, to amend the above-referenced Ordinance was **Defeated** 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, Harlee, Johnson, Freel, Adams, Walsh, and Council President Shabazz. Total, seven.

President Shabazz declared the **Amendment Defeated**.

Upon a motion of Council Member Guy, seconded by Council Members Walsh and Gray, the above-referenced Ordinance was referred back to Community Development & Urban Planning Committee by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Freel, Dixon, Guy and Walsh, and Council President Shabazz. Total, eleven. Nays, Council Members Johnson and Adams. Total, two.

President Shabazz declared the Ordinance to be **Referred back to Committee Adopted**.

Council Member Walsh did not have any legislation to present this evening.

**PETITIONS AND COMMUNICATION**

Council President and Council Members spoke on the following: COVID-19 and the need for everyone to wear face mask, maintain social distancing and be safe; announcements of food giveaway drives, donation of masks, testing sites and other community events; racism; COVID Group finding resources for relief; folks were encouraged to checkout July's edition of Out & About Magazine as there's a lot of community information; sanitation workers and Wilmington Police Department were commended for their hard work during hot conditions and the need to check up on seniors; hopes of schools opening up in the Fall; George Floyd; Black Lives Matter; All Lives Matter; need of donations to assist entities; city workers as well as essential workers across the state were saluted and parents were thanked as well as all are under

stress and everyone was encouraged to take this time for relaxation and to be patient as we begin to reopen and the need for everyone to do their part; Councilmembers were encouraged to work together when coming back from summer break on August 20; and including but not limited to, Council Member Freel was thanked for his leadership and how he will be missed.

### **ADJOURNMENT**

Upon a motion of Council Member Harlee, seconded by Council Member Dixon, Council adjourned at 8:35 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk