

**VIRTUAL WILMINGTON CITY COUNCIL  
INAUGURATION/ORGANIZATIONAL MEETING  
JANUARY 5, 2021 @ 8:00 P.M. – REVISION #2\***

**AGENDA**

**LEGISLATIVE BUSINESS**

**CONGO** (*Harlee presenting on behalf of Congo*)

#0001 A Resolution Adopting the Wilmington City Council Rules of the 108<sup>th</sup> Session

#0002 A Resolution Appointing the Wilmington City Council Staff

**CONGO** (*McCoy presenting on behalf of Congo*)

#0003 A Resolution Appointing the President Pro Tempore for the Wilmington City Council

**JOHNSON**

\*#0004 A Resolution Adopting the Rules of the Council of the City of Wilmington for the 108<sup>th</sup> Council Session

\*#0005 A Resolution Appointing the City Clerk and Other Employees for the Council of the City of Wilmington for the 108<sup>th</sup> Council Session

\*#0006 A Resolution Establishing the Standing Committees of the Council of the City of Wilmington for the 108<sup>th</sup> Council Session and the Personnel Assignment for the Committees

\*#0007 A Resolution Electing the President Pro Tempore for the Council of the City of Wilmington for the 108<sup>th</sup> Council Session

**Note:** In following Governor Carney’s Proclamation #17-3292, due to the outbreak of the COVID-19, public meetings are currently being conducted virtually to maintain social distancing and to keep all constituents safe. Members of the public are invited to view the Inauguration/Organizational meeting by accessing the meeting through the following links:

<https://youtu.be/OC6BFQwii7Y>

<https://www.facebook.com/WITN22/posts/10157627836645927>

Wilmington, Delaware  
January 5, 2021

**#0001**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall determine its own rules and order of business; and

**Sponsors:**

**Council  
President  
Congo**

**WHEREAS**, City Council deems it advisable to adopt the proposed Rules for the 108th Council Session, attached hereto and made a part hereof, as its permanent rules.

**Council  
Member  
Harlee**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the proposed Rules for the 108th Council Session, attached hereto and made a part hereof, are adopted as the Rules of the Council of the City of Wilmington.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution adopts the Rules of the Council of the City of Wilmington for the 108th Council Session.

W0112960

**THE COUNCIL**  
**of the**  
**CITY OF WILMINGTON**

**RULES**

**108th Session**

**2021-2024**

Adopted: January 5, 2021, Resolution 21-001

**THE COUNCIL OF THE CITY OF WILMINGTON  
RULES**

**RULE 1 - MEETINGS OF COUNCIL**

The City Council shall hold its official meetings at 6:30 p.m. on the first and third Thursdays of each month in the City Council chambers. On the fourth Thursday, or if a particular month has a fifth Thursday, the Council shall not meet unless otherwise specified.

Special meetings of the City Council may be called by the Mayor upon the Mayor's own initiative, by the President of City Council, or at the request of seven (7) members of the Council.

All meetings of the City Council shall be public, and agendas for each meeting shall be made available through the City Clerk's Office, in keeping with the provisions of the Delaware Code known as the Delaware's Freedom of Information Act ("FOIA").

All resolutions which do not have legislative effect, do not bind the City, or otherwise do not contain substantive legislative matter shall be grouped together under the agenda heading "Non-Legislative Business". All ordinances and resolutions with legislative effect and which require roll-call votes shall be grouped together under the agenda heading "Legislative Business."

The name of every Council Member sponsoring an ordinance or resolution on the floor of Council shall be placed in the upper left-hand margin of the first page of such measure.

Written minutes of all meetings of Council shall be kept by the City Clerk's Office. Written minutes of all Council Committee meetings shall be made and kept by City Council Staff under the direction of the Council Chief of Staff.

Resolutions adopted by voice vote under Non-Legislative Business need not be transcribed at length in the minutes, but may be recorded by purpose and subject only and without assignment of a resolution number, may be filed separately from measures with legislative effect, and shall be distributed only as provided in each resolution.

Copies of all resolutions, ordinances, and agendas to be considered at a City Council meeting shall be made available to visitors.

Whenever a scheduled Council meeting falls on or near a holiday, or when an emergency situation exists or the flow of business warrants, or in order to provide Council members with vacation time during the summer, the Council President is

empowered to readjust the scheduling of such meeting(s) and set another date(s) as the President sees fit.

During meetings of City Council, the burning of any combustible substance for the purpose of inhaling the resulting smoke, or the eating of any food items is prohibited within the chambers where Council is meeting.

Any and all Councilpersons participating in council and or committee meetings, when conversing in the formal parts of the meeting, shall address each other formally and not by first or simply last names. They shall be addressed as Council Member, Mr., Mrs., Miss., Ms., or acknowledging their chairperson or President status, as appropriate.

Whenever publicly conversing in Council and or committee meetings, Councilpersons shall refrain from directly conversing with one another, without leave of the President or chair; and shall converse through the President or chairperson as appropriate.

## **RULE 2 - ORDER OF BUSINESS**

The order of business at official meetings of the City Council shall be as follows:

A) Convening of the City Council.

B) Prayer.

C) Pledge of Allegiance to the Flag.

D) Roll Call: At the scheduled time for the meeting and before the Council proceeds to the consideration of any business, the Clerk shall call the name of each Council Member in the order of the district each represents beginning with the First Council District and ending with the at-large Councilmembers in alphabetical order.

E) Reading of the Minutes of the Previous Meeting: The minutes of the previous meeting shall be read and include a statement as to members that were present, absent with leave and absent without leave by the Clerk and adopted and approved or corrected on motion by the President Pro Tempore or in the President Pro Tempore's absence, the Chairman of the Finance Committee. In the absence of such motion, the minutes shall be deemed approved.

F) Committee Reports: Reports from standing committees shall be signed by a majority of committee members, read by the Clerk, and filed, on motion and voice vote. The reading of the minutes shall include a statement as to committee members that were present, absent with leave and absent without leave. Non committee members present need not be mentioned.

**G) City Treasurer's Report.**

**H) Non-Legislative Business:** Unless a separate vote is requested by the sponsor of any resolution, all items of non-legislative effect shall be adopted by a single motion to receive and adopt by voice vote the agenda measures listed under Non-Legislative Business. While the motion is pending, a Council Member may speak to any measure under the agenda heading "Non-Legislative Business" for which separate consideration has not been requested by the sponsor. Unless otherwise authorized by the President, there shall be a limit of five (5) non-legislative resolutions that may be presented at each Council Meeting, which shall be done on a first come, first served basis by request to the Legislative & Policy Director.

**I) Legislative Business:** This portion of the meeting shall be for the consideration of resolutions with legislative effect and ordinances only. Each member is entitled to speak twice to any matter subject to debate for periods not to exceed five minutes each time, including any time yielded to other members. No member shall exceed these limits except by leave granted by a two-thirds vote of the members present, without debate. No member shall speak twice to a matter until every other member choosing to speak has been recognized. The member on whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member has had an opportunity to speak for a second time. After the close of debate on an item of legislation business, but before a vote is started, there shall be an opportunity for public comment in three-minute increments. After the close of public comment each member is entitled to speak twice to any matter subject to debate for periods not to exceed five minutes each time, including any time yielded to other members. No member shall exceed these limits except by leave granted by a two-thirds vote of the members present, without debate. No member shall speak twice to a matter until every other member choosing to speak has been recognized. The member on whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member as had an opportunity to speak for a second time.

**J) Presentation of Petitions and Communications:** Any petition or communication, written or oral, from Council Members, the Mayor, city departments, or from the public, or any communication or comment relating to city business, other than a matter on the agenda for action, is presented at this time. Each member shall be limited to five minutes for presentation of petitions and communications, to include any time yielded to other members. Any debatable motion made shall not be subject to this limit, but instead to the debate limits in Paragraph I), Legislative Business.

**K) Public Hearings (if needed).**

**L) Adjournment.**

The above order of business may be changed at any time by the Council President, or on motion duly seconded and passed by a majority of Council.

Pursuant to FOIA, an agenda as determined by the President shall be prepared for each meeting in a sufficient number of copies, for distribution to members of the public. The Clerk of Council shall include on the agenda every piece of legislation requested by the legislation's sponsor provided at least fourteen (14) days' notice is given and legislation is received at the time the agenda is posted and may include emergency and other legislation upon less notice. Once an ordinance is voted out of Committee, it must be placed on the next Council agenda as permitted by FOIA unless the sponsor requests it to be held to a later meeting in which case the sponsor must provide fourteen (14) days' notice for it to be added to a subsequent agenda. Council Members and the administration shall be provided an agenda in an electronic format. The agenda shall list all legislative and non-legislative matters proposed by their sponsors for consideration at the meeting, and once copies of the agenda have been reproduced, a sponsoring member of Council may not remove a matter from the agenda, although the sponsor may hold it for consideration at a subsequent meeting subject to the provisions of Rules 8 and 9.

### **RULE 3 - CONVENING OF CITY COUNCIL**

Thirty minutes before the time appointed for each regular meeting of Council (6:00 p.m. to 6:30 p.m.), the President may convene the Committee of the Whole to meet in open public forum in Council Chambers, at which time comments not to exceed three (3) minutes in length by each person may be heard from members of the public. This constitutes the convening of the whole for (Date). Thereafter, the President shall call the first person to offer comments. This thirty minute public comment period shall be televised in its entirety. The President shall establish and enforce rules for speakers to ensure proper decorum is maintained including, but not limited to, enforcing the three-minute time-limit for each speaker and/or prohibiting the use of obscene or profane language. Any person desiring to exercise this privilege shall register with the City Clerk no later than 5:45 p.m. prior to the convening of the Committee of the Whole, and the person's signature on the City Clerk's register will acknowledge agreement to observe the time limit and the prohibition of obscene or profane language.

At the scheduled time for the meeting, the President of City Council shall call the City Council to order.

When Council convenes, each Council Member shall be in the seat assigned to that Member.

No Council Member shall be absent from the service of City Council without leave.

**The attendance of at least seven (7) Council Members is required to establish quorum for official meetings of City Council.**

**When a quorum is not present on the initial roll call, Council shall consider only the following motions: to fix a time to which to adjourn; to adjourn; to recess; to secure attendance of absent members; or to proceed as if in Committee of the Whole for the purpose of considering informally and reporting to the Council upon any matter on the agenda.**

#### **RULE 4 - DUTIES OF THE PRESIDENT OF COUNCIL**

**The President shall take the presiding officer's chair at the regularly or special scheduled hour for the meeting and call the members to order.**

**The President shall preserve order and decide all questions of order and parliamentary procedure. An appeal from the President's decision may be made by any Council Member if properly seconded, and the vote of the majority members present shall be necessary to over-rule the President.**

**The President shall determine which Council Member shall have the floor and shall confine the discussion to the question on the floor.**

**The President shall have a vote like every other Council Member at all Council and committee meetings.**

**The President shall appoint the chairperson and members of all Council Committees, whether standing, ad-hoc, special or otherwise and shall be an ex-officio member, with vote, in each.**

**In the absence of a quorum at a meeting of the Council, the President shall have the power to order the City Clerk to compel the attendance of absent members and to direct the City Clerk to perform such other duties as the Council may from time to time approve.**

#### **RULE 5 - DUTIES OF THE CITY CLERK**

**The duties of the City Clerk shall be those set out in the Charter of the City of Wilmington, and such other duties as the Council shall from time to time determine.**

#### **RULE 6 - DUTIES OF OTHER EMPLOYEES OF THE CITY COUNCIL**

**The duties of all other employees of the City Council shall be those that are periodically determined by the President.**

**The duties of all other employees of the City Council shall be those that are**



periodically determined by the President.

All employees of the City Council must be hired and fired through Resolution of Council. In limited circumstances, an employee may be terminated for just cause by the Council President, after consultation with the Director of Human Resources, without a Resolution of Council.

#### **RULE 7 - DUTIES OF COUNCIL MEMBERS**

Every Council Member shall promptly and regularly attend all meetings of the Council and of all committees to which assigned in person or virtual upon approval by the President. No member shall be absent without leave of the President or chair, as applicable. The Rules of Council may be amended during this session with a two-thirds majority vote by the City Council.

When speaking on the floor of Council a Council Member shall abide by established rules of order.

#### **RULE 8 - MOTIONS AND RESOLUTIONS**

A resolution shall be introduced by motion, either by the sponsor or on behalf of the President, and or another Council Member. For resolutions with legislative effect, the appropriate motion is to receive, record and file, and adopt by yea and nay vote, except for resolutions approving or confirming the appointment of a city solicitor or a city auditor, which shall be governed by the provisions that follow. For all other resolutions, the appropriate motion is "to receive and adopt by voice vote.

Resolutions of a substantial nature shall be reviewed in the appropriate Committee prior to action by Council at a Council Meeting. The President of Council shall determine whether or not a resolution requires Committee review.

Resolutions shall not continue to another session of Council. All resolutions shall be acted upon during the Council session that it was presented, and if not the legislation dies at the end of that Council session.

Unless time or other circumstances necessitate immediate action, or unless determined by the President of City Council that approval should not be delayed, or except for good cause shown, all multi-year contracts prepared for Council approval by resolution must be assigned to and reviewed by the appropriate City Council committee prior to the final vote by City Council.

Appointment of a city solicitor and/or a city auditor shall be approved only by resolution, sponsored by the President and the Chair of the appropriate committee and the appropriate motion is "to receive, record, and file and refer to the appropriate committee. The appropriate committee shall consider the matter and hold such

hearings as it deems proper after which, it shall be in order for Council to consider the resolution, with or without a committee recommendation.

The chair of the appropriate committee may schedule hearings at any time after a mayor-elect has notified the City Clerk of the name of a proposed appointee requiring Council approval, and a new Council, if it adopts these rules as its temporary or permanent rules, at its option may proceed to immediate consideration of a resolution approving the appointment or may conduct additional hearings of its own.

A brief statement of the purpose of the motion or resolution shall accompany every motion and resolution, oral or written, other than a procedural motion on which debate is not allowed.

Written motions and resolutions need not be read in full unless requested by a Council member. A short statement of its purpose by the mover is sufficient.

No motion or resolution shall be considered or debated by Council unless it is seconded. When a motion that is in order is seconded, it, and any resolution which is the subject of it, shall be before Council for debate.

The mover of a motion or resolution, on seeking the floor, shall be first entitled to recognition.

After a motion or resolution has been duly seconded, it shall be before the Council for action, but the mover may withdraw it at any time before a final vote is taken.

A motion or resolution before Council may be amended at any time prior to final action upon it.

After deliberation upon a motion or resolution, the President shall again distinctly repeat the motion and if no roll call is required or requested, put the question in the following words "All those in favor of the motion say a yea", and after the affirmative is expressed, "All those opposed to the motion say no". The vote of a majority of the members in attendance and voting shall prevail unless otherwise provided by these rules or the provisions of the City Charter.

The President may order, or any member may call for, a roll call vote on any procedural matter that has legislative effect, and after the Clerk has called the Roll, tallied the vote and announced the results, action on the motion is final.

After the yeas and nays or a roll call have been ordered, all further debate upon the question shall be terminated.

**No member shall be allowed to vote or change a vote after the outcome has been announced by the Clerk or the President.**

**A resolution that has appeared on the agenda for consideration at two meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought.**

#### **RULE 9 - ORDINANCES**

**An ordinance shall be introduced only by a Council Member, either as sponsor or on behalf of the sponsor, or by order of the President.**

**Every ordinance shall be accompanied by a brief statement of its purposes and objectives and a policy statement. In addition, and more specifically, every ordinance prior to its enactment shall be accompanied by a brief but specific statement of its expected fiscal impact, and a copy of such fiscal impact statement shall be filed with the City Clerk.**

**When a Council Member introduces an ordinance, the Clerk shall read it twice by title only, unless a member requests that it be read in full. After the two readings, the sponsor or another member on behalf of the sponsor shall move that the ordinance be received, recorded and filed, and referred to the appropriate committee. Upon seconding, introduction is complete.**

**Ordinances shall stay in the appropriate committee until it is voted out by committee prior to final vote by Council or withdrawn by sponsor.**

**Ordinances shall not continue to another session of Council. All ordinances shall be acted upon during the Council session that it was introduced, and if not the legislation dies at the end of that Council session.**

**Except as provided in the City Charter for emergency ordinances, an ordinance shall not be read for the third and final time, nor acted upon, at the same meeting at which it was introduced nor in the absence of the Council Member who introduced the same without the consent of that member, unless there is a sponsor or co-sponsor present who requests that the ordinance be brought up for its enacting vote.**

**When the President is the primary sponsor of an ordinance and the member who introduced such ordinance on the President's behalf is absent, the President shall be free to have another member bring the ordinance to the floor for its third and final reading.**

**No ordinance shall be repealed unless notice shall have been given and entered on the minute book of the Council at a stated meeting that at the next succeeding stated meeting, an ordinance would be introduced for such repeal.**

**An ordinance may be reviewed by the committee to which it was referred, either at the request of a sponsor or as determined by the chair of the committee. At any meeting subsequent to the introduction of an ordinance, it shall be subject to debate by the members. The Council Member who introduced the ordinance, on seeking the floor, shall be first entitled to recognition.**

**After an ordinance has been properly introduced and presented to Council, it shall be before the Council for action, but the Council Member who introduced it may withdraw or hold it at any time prior to final action upon it.**

**An ordinance before Council may be amended at any time prior to final action upon it.**

**After an ordinance has been given its third and final reading, debate is in order.**

**Whenever an ordinance amends the zoning district map, the public hearing concerning which has been concluded, and after any debate by the members, the President shall call on each Council Member in turn to state for the record the reasons the Member supports or opposes the proposed ordinance. Each Member's statement may refer to or adopt findings in documents or reports, or parts of them that are already on record concerning such ordinance.**

**An ordinance that has appeared on the agenda for third and final reading at two meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought.**

**After debate has concluded and required statements of members have been made, the President shall instruct the Clerk to call the roll. When the roll call is completed, the Clerk will tally the vote and announce the result.**

## **RULE 10 – STANDING COMMITTEES OF COUNCIL**

**The following shall be the standing committees of Council. The President shall appoint the chair and members of each committee and shall appoint a vice-chair if necessary. Council will confirm the President's appointments by a majority vote. The super-majority voting requirement to repeal, alter, or amend the Council rules contained in Rule 23 shall not apply to the removal and replacement of any committee member.**

**Finance & Economic Development  
Public Safety  
Education, Youth & Family Services  
Personnel**

**Public Works & Transportation  
Health, Aging & Disabilities  
Community Development & Urban Planning  
Intergovernmental and Judiciary**

**The members of the standing committees of Council shall be as follows:**

**Finance & Economic Development**

**Rysheema Dixon, Chair  
Christofer Johnson, Vice Chair  
Michelle Harlee  
Zanthia Oliver  
Linda M. Gray  
James Spadola  
Loretta Walsh**

**Public Safety**

**Linda Gray, Chair  
James Spadola, Vice Chair  
Rysheema Dixon  
Christofer Johnson  
Yolanda McCoy  
Loretta Walsh  
Zanthia Oliver**

**Health, Aging & Disabilities**

**James Spadola, Chair  
Maria Cabrera, Vice Chair  
Bregetta Fields  
Rysheema Dixon  
Linda Gray  
Michelle Harlee**

**Education, Youth & Family Services**

**Yolanda McCoy, Chair  
Maria Cabrera  
Nathan Field  
Bregetta Fields  
James Spadola**

**Community Development & Urban Planning**

**Maria Cabrera, Chair  
Yolanda McCoy, Vice Chair  
Shané Darby  
Rysheema Dixon  
Bregetta Fields  
James Spadola**

**Intergovernmental and Judiciary**

**Shané Darby, Chair  
Linda Gray, Vice Chair  
Michelle Harlee  
Yolanda McCoy  
Zanthia Oliver**

**Personnel**

**Michelle Harlee, Chair  
Christofer Johnson, Vice Chair  
Shané Darby  
Nathan Field  
James Spadola**

**Public Works & Transportation**

**Zanthia Oliver, Chair  
Loretta Walsh, Vice Chair  
Nathan Field  
Bregetta Fields  
Linda Gray  
Michelle Harlee**

## **RULE 11 - COMMITTEE RULES AND POWERS**

**Each standing committee is authorized to hold such hearings, to sit and act at such times and places, to call witnesses and request the production of such correspondence, books, papers, and documents necessary. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance with the approval of the President of City Council. Any questions that may arise in regard to the powers and jurisdiction of any committee of Council shall be determined by the Council sitting as the Committee of the Whole.**

**The rules of each committee shall be made available to the public through the City Council Office.**

**Meetings of each standing committee shall be called by the Chair as he/she may deem necessary for the transaction of business before the committee. If at least two members of any such committee desire that a special meeting of the committee be called by the Chair, those members may file with the City Council Office, their written request to the Chair for that special meeting. Immediately upon the filing of the request, the President of City Council or his/her designee shall notify the Chair of the filing of the request. If, within three calendar days after the filing of the request, the Chair does not call the requested special meeting, the President of City Council may file with the City Clerk his or her written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour.**

**Immediately upon the filing of the notice, the Clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the Chair of any such committee is not present at any regular, additional, or special meeting of the committee, the President of City Council or his/her Council member designee shall preside at that meeting.**

**Each committee shall make public announcement of the date, place, and subject matter of any meeting to be conducted by the committee on any measure or matter at least seven days before the commencement of that meeting.**

**Notwithstanding any other provision of the rules, when City Council is in session, no committee shall meet. Unless consent has been obtained from the President of City Council, no committee may meet on the same day City Council is in session. The President of City Council or his/her designee shall announce to City Council whenever consent has been given under this subparagraph and shall state the time and place of such meeting.**

**Each meeting of a committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee thereof on the same subject for a period of no more than three consecutive meetings when the**

**President of City Council or the Chair of the Committee deems it necessary, to discuss only whether the matters enumerated in clauses (1) through (5) would require the meeting to be closed, followed immediately by a roll call vote in open session by a majority of the members of the entire body when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:**

- (1) Will relate solely to matters of committee staff personnel or internal staff management or procedures.**
- (2) Will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual.**
- (3) Will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement.**
- (4) Will disclose information relating to financial or commercial information relating to the City of Wilmington that is required to be kept confidential.**
- (5) May divulge matters required to be kept confidential under other provisions of law or Governmental regulations.**

**Any committee meeting is open to the public, and may be broadcast by radio or television, or both, and to include all electronic media (e.g. website and social media) under such rules as the committee may adopt.**

**Whenever disorder arises during a committee meeting that is open to the public or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his/her own initiative and without any point of order being made by a Council member. When the Chair finds it necessary to maintain order, he/she shall have the power to clear the room and the committee may act in closed session for so long as there is doubt of the assurance of order.**

**The attendance of at least three (3) members assigned to a committee is required to establish quorum for the purpose of conducting business at said committee. Council members not assigned to a particular committee may attend and participate in any such committee meeting but may not vote or otherwise take action on items before said committee. The President determines the number of members assigned to the committee.**

**The vote of any committee to report a measure or matter or submit an ordinance for consideration by the entire body of City Council shall require the concurrence of a majority of the members of the committee who are present.**

**Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of roll call votes taken in any meeting or any committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and votes cast in opposition to each such measure and amendment by each member of the committee who was present at the meeting. The committee vote to send legislation to Council is based on the majority vote of the Committee members present for that meeting.**

**All committee hearings, records, data, charts, and files shall be kept separate and distinct from the Council member's office records who serve as Chair of the committee; and such records shall be the property of City Council and all members of the committee and the City Council shall have access to such records.**

#### **RULE 12 – SPECIAL COMMITTEES**

**All special committees shall be appointed by the President.**

#### **RULE 13 - COMMITTEE REPORTS**

**The presentation of reports of committees shall be in writing and state the fact of the matter referred, together with the conclusions and recommendations of the particular committee. The failure of a sponsor or co-sponsor from securing the signatures of a majority of the committee's members shall prevent the sponsor from bringing an ordinance to the floor for a vote of the full Council.**

**Written minutes of all Committee meetings shall be taken and maintained by Council Staff in the Council's files and provided in hard copy to any Council member upon request.**

#### **RULE 14 - MOTIONS**

**When a question is under debate, the only motions in order shall be:**

- 1. To adjourn**
- 2. To lay on the table**
- 3. To refer**
- 4. To amend**
- 5. To postpone to certain time**

**The above motions shall have precedence in the order listed.**



## **RULE 15 - MOTION TO ADJOURN**

**A motion to adjourn the Council meeting shall always be in order, except when a member is in possession of the floor, while the yes and nos are being called, when adjournment was the last motion decided and there was no intervening business.**

**A motion to adjourn cannot be amended but a motion to a given day or time may be and is open to debate.**

## **RULE 16 - MOTION TO POSTPONE TO CERTAIN TIME**

**This motion is properly brought when debate has shown reasons for holding off final vote until a later, but defined time (i.e., subsequent Council meetings). This motion is debatable but the debate shall be limited to whether the main question should be postponed and to what time. Debate on the merits of the main question is improper.**

## **RULE 17 - MOTION TO LAY ON THE TABLE**

**A motion to "lay on the table" or simply "to table" is not debatable. This motion is properly brought when used to interrupt pending business so that the Council may consider another matter of immediate urgency. This motion cannot be used to put off dealing with a matter.**

## **RULE 18 - MOTION TO REFER**

**A motion to refer to a standing committee shall take precedence over a similar motion to refer to a special committee.**

## **RULE 19 - MOTION TO AMEND**

**A motion to amend an amendment shall be in order but a motion to amend an amendment to an amendment shall not be entertained. An amendment modifying the intention of a motion, resolution or ordinance shall be in order, but an amendment relating to a different subject matter shall not be in order.**

## **RULE 20 - AMENDMENTS**

**An amendment to strike out and insert the words, sentence, or paragraph to be amended shall be first read as it stands; then the words, sentence or paragraph proposed to be struck out and those to be inserted, and finally, the paragraph as it will read with the amendment.**

## **RULE 21 - RECONSIDERATION**

**A question may be reconsidered at any time during the same meeting or at the next stated meeting thereafter, but only if the question failed to be approved. A motion to reconsider must be made by a member of Council who voted with the prevailing side, or in case of equal division, by a member of Council who voted in the negative.**

**Once a question has been decided by Council, whether contained in a motion, resolution or ordinance, no member of Council who did not vote with the prevailing majority, or in the negative in case of an equal division, may bring substantially the same matter before Council again during the same session of Council, which begins with the organizational meeting following the general election of members of Council, and extends to the final meeting before the next organization meeting. The President shall determine whether a question constitutes substantially the same matter whenever a member of Council who did not vote with the prevailing side requests that an ordinance or resolution on a similar matter be prepared or placed upon the agenda, moves for a suspension of the rules to add the matter to the agenda as published, or otherwise moves that the matter be again considered.**

## **RULE 22 - SUSPENSION OF RULES**

**Except as limited by Rule 23, rules may be suspended by approval of a majority vote of the members of Council in attendance.**

## **RULE 23 - EFFECTIVE DATE; REPEAL, ALTERATION OR AMENDMENT OF RULES**

**These rules shall be effective immediately upon their adoption by City Council and shall not be repealed, altered or amended unless a motion to do so is presented in resolution form and passed by a two-thirds majority of the members of Council present at an official meeting of the City Council.**

**No rule providing for a vote greater than a simple majority on any matter may be suspended or amended except by the same vote required for approval of the underlying matter.**

**No rule may be suspended or amended in derogation of an existing right or privilege of any member, except by a two-thirds vote of all the members of Council.**

## **RULE 24 – PARLIAMENTARIAN FOR CITY COUNCIL**

**The Council President shall ensure that there is a Parliamentarian present for all City Council Meetings that shall advise the President on questions of parliamentary procedure.**

## **RULE 25 – ROBERT’S RULES OF ORDER**

**All questions of parliamentary procedure not provided for in these rules shall be decided in accordance with the latest edition of Robert’s Rules of Order.**

## **RULE 26 - ESTABLISHMENT OF COUNCIL SALARIES**

**Except between July 1 and December 31 in years when elections to Council are held, whenever an ordinance is enacted that provides for a general increase in the salary schedules for non-union classified employees under the merit system, the Chair of the Finance Committee shall prepare and introduce for consideration, an ordinance providing for an increase of the same proportion that will apply to Council members to be elected at the following general election. If employee salary schedules are increased after June 30 in a Council election year, the Chair of the Finance committee taking office the following January shall, within 30 days after taking office, introduce for consideration such an ordinance that will apply to Council members elected at the next-following election.**

Wilmington, Delaware  
January 5, 2021

**#0002**

**Sponsors:**

**Council  
President  
Congo**

**Council  
Member  
Harlee**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall appoint a City Clerk at the organizational Council meeting to be held on the first Tuesday after the first Monday in January next succeeding the election of Council Members; and

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall employ such other persons as may be necessary for the discharge of its business; and

**WHEREAS**, City Council is holding its organizational meeting for the 108th Council Session on Tuesday, January 5, 2021 at 8:00 p.m.; and

**WHEREAS**, Council deems it desirable to appoint a City Clerk and certain other persons necessary for the proper discharge of its business, all of whom shall serve at the pleasure of City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the following persons are hereby appointed as employees of City Council and shall be placed on the payroll of the City of Wilmington in the Office of the City Clerk:

- |    |                    |                                    |
|----|--------------------|------------------------------------|
| 1. | Devon Hynson       | Chief of Staff                     |
| 2. | Marchelle Basnight | Strategy & Policy Director         |
| 3. | Tonya Richardson   | Legislative & Community Director   |
| 4. | Maribel Seijo      | City Clerk                         |
| 5. | Traci Owens        | Executive Administrative Assistant |

- |     |                  |  |
|-----|------------------|--|
| 6.  | Akira Grenardo   | Legislative Administrative Assistant/Deputy City Clerk |
| 7.  | Nancy Lopez      | Legislative Administrative Assistant                   |
| 8.  | Yesenia Taveras  | Station Manager  |
| 9.  | Wendell Raulston | Deputy Station Manager                                 |
| 10. | Mik Austin       | Senior Producer  |
| 11. | To be determined | Senior Producer/On-Air Talent                          |
| 12. | Saquan Stimpson  | Digital Media Content Producer                         |
| 13. | To be determined | Digital & Media Content Coordinator                    |
| 14. | India Williams   | Producer/On-Air Talent                                 |
| 15. | Amanda Robins    | Producer   |

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to forward copies of this Resolution to the Director of Human Resources, the City Treasurer, and the City Auditor.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution appoints the City Clerk and other City Council employees for the 108th Session of the Council of the City of Wilmington.

W0112964

Wilmington, Delaware  
January 5, 2021

**#0003**

**Sponsors:**

**Council  
President  
Congo**

**Council  
Member  
McCoy**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall elect from among its members a President Pro Tempore to act in the event of the absence or disability of the Council President.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Michelle Harlee is hereby elected as President Pro Tempore of the Council of the City of Wilmington for the 108th Council Session.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution elects Michelle Harlee as President Pro Tempore of the Council of the City of Wilmington for the 108th Council Session.

W0112965

Wilmington, Delaware  
January 5, 2021

**#0004**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall determine its own rules and order of business; and

**Sponsors:**

**WHEREAS**, City Council deems it advisable to adopt the proposed Rules for the 108th Council Session, attached hereto and made a part hereof, as its permanent rules.

**Council  
Members  
Johnson  
Oliver  
Fields  
Field  
Cabrer  
Spadola  
Walsh**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the proposed Rules for the 108th Council Session, attached hereto and made a part hereof, are adopted as the Rules of the Council of the City of Wilmington.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution adopts the Rules of the Council of the City of Wilmington for the 108th Council Session.

W0112909

**THE COUNCIL**  
**of the**  
**CITY OF WILMINGTON**

**RULES**

**108th Session**

**2021-2024**

Adopted: January 5, 2021, Resolution 21-XXX



**THE COUNCIL OF THE CITY OF WILMINGTON  
RULES**

**RULE 1 - MEETINGS OF COUNCIL**

The City Council shall hold its official meetings at 6:30 p.m. on the first and third Thursdays of each month in the City Council chambers. On the fourth Thursday, or if a particular month has a fifth Thursday, the Council shall not meet unless otherwise specified.

Special meetings of the City Council may be called by the Mayor upon the Mayor's own initiative, by the President of City Council, or at the request of seven (7) members of the Council.

All meetings of the City Council shall be public, and agendas for each meeting shall be made available through the City Clerk's Office, in keeping with the provisions of the Delaware Code known as the Delaware's Freedom of Information Act ("FOIA").

All resolutions which do not have legislative effect, do not bind the City, or otherwise do not contain substantive legislative matter shall be grouped together under the agenda heading "Non-Legislative Business". All ordinances and resolutions with legislative effect and which require roll-call votes shall be grouped together under the agenda heading "Legislative Business."

The name of every Council Member sponsoring an ordinance or resolution on the floor of Council shall be placed in the upper left-hand margin of the first page of such measure.

Written minutes of all meetings of Council shall be kept by the City Clerk's Office. Written minutes of all Council Committee meetings shall be made and kept by City Council Staff under the direction of the Council Chief of Staff.

Resolutions adopted by voice vote under Non-Legislative Business need not be transcribed at length in the minutes, but may be recorded by purpose and subject only and without assignment of a resolution number, may be filed separately from measures with legislative effect, and shall be distributed only as provided in each resolution.

Copies of all resolutions, ordinances, and agendas to be considered at a City Council meeting shall be made available to visitors.

Whenever a scheduled Council meeting falls on or near a holiday, or when an emergency situation exists or the flow of business warrants, or in order to provide Council members with vacation time during the summer, the Council President is empowered to adjust the scheduling of such meeting(s) and set another date(s) as the President sees fit.

**During meetings of City Council, the burning of any combustible substance for the purpose of inhaling the resulting smoke, or the eating of any food items is prohibited within the chambers where Council is meeting.**

**Any and all Council Members participating in council and or committee meetings, when conversing in the formal parts of the meeting, shall address each other formally and not by first or simply last names. They shall be addressed as Council Member, Mr., Mrs., Miss., Ms., or acknowledging their Chair or President status, as appropriate.**

**Whenever publicly conversing in Council and or committee meetings, Council Members shall refrain from directly conversing with one another, without leave of the President or Chair; and shall converse through the President or Chair as appropriate.**

## **RULE 2 - ORDER OF BUSINESS**

**The order of business at official meetings of the City Council shall be as follows:**

**A) Convening of the City Council.**

**B) Prayer.**

**C) Pledge of Allegiance to the Flag.**

**D) Roll Call: At the scheduled time for the meeting and before the Council proceeds to the consideration of any business, the Clerk shall call the name of each Council Member in the order of the district each represents beginning with the First Council District and ending with the at-large Councilmembers in alphabetical order.**

**E) Reading of the Minutes of the Previous Meeting: The minutes of the previous meeting shall be read and include a statement as to members that were present, absent with leave and absent without leave by the Clerk and adopted and approved or corrected on motion by the President Pro Tempore or in the President Pro Tempore's absence, the Chairman of the Finance Committee. In the absence of such motion, the minutes shall be deemed approved.**

**F) Committee Reports: Reports from standing committees shall be signed by a majority of committee members, read by the Clerk, and filed, on motion and voice vote. The reading of the minutes shall include a statement as to committee members that were present, absent with leave and absent without leave. Non committee members present need not be mentioned.**

**G) City Treasurer's Report.**

**H) Non-Legislative Business:** Unless a separate vote is requested by the sponsor of any resolution, all items of non-legislative effect shall be adopted by a single motion to receive and adopt by voice vote the agenda measures listed under Non-Legislative Business. While the motion is pending, a Council Member may speak to any measure under the agenda heading "Non-Legislative Business" for which separate consideration has not been requested by the sponsor. Unless otherwise authorized by the President, there shall be a limit of five (5) non-legislative resolutions that may be presented at each Council Meeting, which shall be done on a first come, first served basis by request to the Clerk of Council.

**I) Public Comment:** Public comment shall be available only to City of Wilmington residents or taxpayers. The President may place additional reasonable limitations on public comment to permit Council to conduct its meetings and to maintain order, including limiting repetitious comments. Each member of the public is limited to a total of three (3) minutes of public comment per meeting.

**J) Legislative Business:** This portion of the meeting shall begin no later than 7:30 p.m., unless leave is granted by a two-thirds vote of the members present to grant additional time for public comment. The Legislative Business portion of the meeting shall be for the consideration of resolutions with legislative effect and ordinances only. Each member is entitled to speak twice to any matter subject to debate for periods not to exceed ten (10) minutes total, including any time yielded to other members. No member shall exceed these limits except by leave granted by a two-thirds vote of the members present, without debate. No member shall speak twice to a matter until every other member choosing to speak has been recognized. The member on whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member has had an opportunity to speak for a second time. The member on whose motion the matter was brought before Council is first entitled to the floor, and also to close the debate, but not until every other member as had an opportunity to speak for a second time.

**K) Presentation of Petitions and Communications:** Any petition or communication, written or oral, from Council Members, the Mayor, city departments, or from the public, or any communication or comment relating to city business, other than a matter on the agenda for action, is presented at this time. Each member shall be limited to five (5) minutes for presentation of petitions and communications, to include any time yielded to other members. Any debatable motion made shall not be subject to this limit, but instead to the debate limits in Paragraph J), Legislative Business.

**L) Public Hearings (if needed).**

#### **M) Adjournment.**

The above order of business may be changed at any time by the Council President, or on motion duly seconded and passed by a majority of Council.

Pursuant to FOIA, an agenda as determined by the Clerk of Council shall be prepared for each meeting in a sufficient number of copies, for distribution to members of the public. The Clerk of Council shall include on the agenda every piece of legislation requested by the legislation's sponsor provided at least fourteen (14) days' notice is given by the sponsor and may include emergency and other legislation upon less notice. Once an ordinance is voted out of Committee, it must be placed on the next Council agenda as permitted by FOIA unless the sponsor requests it to be held to a later meeting in which case the sponsor must provide fourteen (14) days' notice for it to be added to a subsequent agenda. Council Members and the administration shall be provided an agenda in an electronic format. The agenda shall list all legislative and non-legislative matters proposed by their sponsors for consideration at the meeting, and once copies of the agenda have been reproduced, a sponsoring member of Council may not remove a matter from the agenda, although the sponsor may hold it for consideration at a subsequent meeting, subject to the provisions of Rules 8 and 9.

#### **RULE 3 - CONVENING OF CITY COUNCIL**

At the scheduled time for the Council meeting, the President of City Council shall call the City Council to order.

When Council convenes, each Council Member shall be in the seat assigned to that Member.

No Council Member shall be absent from the service of City Council without leave.

The attendance of at least seven (7) Council Members is required to establish quorum for official meetings of City Council.

When a quorum is not present on the initial roll call, Council shall consider only the following motions: to fix a time to which to adjourn; to adjourn; to recess; to secure attendance of absent members; or to proceed as if in Committee of the Whole for the purpose of considering informally and reporting to the Council upon any matter on the agenda.

#### **RULE 4 - DUTIES OF THE PRESIDENT OF COUNCIL**

The President shall take the presiding officer's chair at the regularly or special scheduled hour for the meeting and call the members to order.

**The President shall preserve order and decide all questions of order and parliamentary procedure. An appeal from the President's decision may be made by any Council Member if properly seconded, and the vote of a majority of the members present shall be necessary to overrule the President.**

**The President shall determine which Council Member shall have the floor and shall confine the discussion to the question on the floor.**

**The President shall have a vote like every other Council Member at all Council and committee meetings.**

**In the absence of a quorum at a meeting of the Council, the President shall have the power to order the City Clerk to compel the attendance of absent members and to direct the City Clerk to perform such other duties as the Council may from time to time approve.**

#### **RULE 5 - DUTIES OF THE CITY CLERK**

**The duties of the City Clerk shall be those set out in the Charter of the City of Wilmington, and such other duties as the Council shall from time to time determine.**

#### **RULE 6 - DUTIES OF OTHER EMPLOYEES OF THE CITY COUNCIL**

**The duties of all other employees of the City Council shall be those that are periodically determined by the President.**

**All employees of the City Council, including the City Clerk, must be hired and fired through Resolution of Council. In limited circumstances, an employee may be terminated for just cause by the Council President, after consultation with the Director of Human Resources, without a Resolution of Council.**

#### **RULE 7 - DUTIES OF COUNCIL MEMBERS**

**Every Council Member shall promptly and regularly attend all meetings of the Council and of all committees to which assigned. No member shall be absent without leave of the President or chair, as applicable.**

**When speaking on the floor of Council a Council Member shall abide by established rules of order.**

#### **RULE 8 - MOTIONS AND RESOLUTIONS**

**A resolution shall be introduced by motion, either by the sponsor or on behalf of the President, and or another Council Member. For resolutions with legislative effect, the appropriate motion is to receive, record and file, and adopt by yea and nay vote, except for**

**resolutions approving or confirming the appointment of a city solicitor or a city auditor, which shall be governed by the provisions that follow. For all other resolutions, the appropriate motion is "to receive and adopt by voice vote".**

**Resolutions of a substantial nature shall be reviewed in the appropriate Committee prior to action by Council at a Council Meeting. The President of Council shall determine whether or not a resolution requires Committee review.**

**Resolutions shall not continue to another session of Council. All resolutions shall be acted upon during the Council session in which they were presented, and, if not, the legislation dies at the end of that Council session.**

**Unless time or other circumstances necessitate immediate action, or unless determined by the President of City Council that approval should not be delayed, or except for good cause shown, all multi-year contracts prepared for Council approval by resolution must be assigned to and reviewed by the appropriate City Council committee prior to the final vote by City Council.**

**Appointment of a city solicitor and/or a city auditor shall be approved only by resolution, sponsored by the President and the Chair of the appropriate committee and the appropriate motion is "to receive, record, and file and refer to the appropriate committee". The appropriate committee shall consider the matter and hold such hearings as it deems proper after which, it shall be in order for Council to consider the resolution, with or without a committee recommendation.**

**The chair of the appropriate committee may schedule hearings at any time after a mayor-elect has notified the City Clerk of the name of a proposed appointee requiring Council approval, and a new Council, if it adopts these rules as its temporary or permanent rules, at its option may proceed to immediate consideration of a resolution approving the appointment, or may conduct additional hearings of its own.**

**A brief statement of the purpose of the motion or resolution shall accompany every motion and resolution, oral or written, other than a procedural motion on which debate is not allowed.**

**Written motions and resolutions need not be read in full unless requested by a Council member. A short statement of its purpose by the mover is sufficient.**

**No motion or resolution shall be considered or debated by Council unless it is seconded. When a motion that is in order is seconded, it, and any resolution which is the subject of it, shall be before Council for debate.**

**The mover of a motion or resolution, on seeking the floor, shall be first entitled to recognition.**

**After a motion or resolution has been duly seconded, it shall be before the Council for action, but the mover or Council Member who introduced the resolution may withdraw or hold it at any time before a final vote is taken.**

**A motion or resolution before Council may be amended at any time prior to final action upon it.**

**After deliberation upon a motion or resolution, the President shall again distinctly repeat the motion and if no roll call is required or requested, put the question in the following words “All those in favor of the motion say a yea”, and after the affirmative is expressed, “All those opposed to the motion say no”. The vote of a majority of the members in attendance and voting shall prevail unless otherwise provided by these rules or the provisions of the City Charter.**

**The President may order, or any member may call for, a roll call vote on any procedural matter that has legislative effect, and after the Clerk has called the Roll, tallied the vote and announced the results, action on the motion is final.**

**After the yeas and nays or a roll call have been ordered, all further debate upon the question shall be terminated.**

**No member shall be allowed to vote or change a vote after the outcome has been announced by the Clerk or the President.**

**A resolution that has appeared on the agenda for consideration at two meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought.**

## **RULE 9 - ORDINANCES**

**An ordinance shall be introduced only by a Council Member, either as sponsor or on behalf of the sponsor, or by order of the President.**

**Every ordinance shall be accompanied by a brief statement of its purposes and objectives and a policy statement. In addition, and more specifically, every ordinance prior to its enactment shall be accompanied by a brief but specific statement of its expected fiscal impact, and a copy of such fiscal impact statement shall be filed with the City Clerk.**

**When a Council Member introduces an ordinance, the Clerk shall read it twice by title only, unless a member requests that it be read in full. After the two readings, the sponsor or another member on behalf of the sponsor shall move that the ordinance be received, recorded and filed, and referred to the appropriate committee. Upon seconding, introduction is complete.**

**Ordinances shall be voted out of the appropriate committee prior to final vote by Council.**

**Ordinances shall not continue to another session of Council. All ordinances shall be acted upon during the Council session in which they were introduced, and, if not, the legislation dies at the end of that Council session.**

**Except as provided in the City Charter for emergency ordinances, an ordinance shall not be read for the third and final time, nor acted upon, at the same meeting at which it was introduced nor in the absence of the Council Member who introduced the same without the consent of that member, unless there is a sponsor or co-sponsor present who requests that the ordinance be brought up for its enacting vote.**

**When the President is the primary sponsor of an ordinance and the member who introduced such ordinance on the President's behalf is absent, the President shall be free to have another member bring the ordinance to the floor for its third and final reading.**

**No ordinance shall be repealed unless notice shall have been given and entered on the minute book of the Council at a stated meeting that at the next succeeding stated meeting, an ordinance would be introduced for such repeal.**

**An ordinance may be reviewed by the committee to which it was referred, either at the request of a sponsor or as determined by the chair of the committee. At any meeting subsequent to the introduction of an ordinance, it shall be subject to debate by the members. The Council Member who introduced the ordinance, on seeking the floor, shall be first entitled to recognition.**

**After an ordinance has been properly introduced and presented to Council, it shall be before the Council for action, but the Council Member who introduced it may withdraw or hold it at any time prior to final action upon it.**

**An ordinance before Council may be amended at any time prior to final action upon it.**

**After an ordinance has been given its third and final reading, debate is in order.**

**Whenever an ordinance amends the zoning district map, the public hearing concerning which has been concluded, and after any debate by the members, the President shall call on each Council Member in turn to state for the record the reasons the Member supports or opposes the proposed ordinance. Each Member's statement may refer to or adopt findings in documents or reports, or parts of them that are already on record concerning such ordinance.**

**An ordinance that has appeared on the agenda for third and final reading at two**



meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought.

After debate has concluded and required statements of members have been made, the President shall instruct the Clerk to call the roll. When the roll call is completed, the Clerk will tally the vote and announce the result.

#### **RULE 10 –COMMITTEES OF COUNCIL**

The Council by Resolution shall appoint the Chair, Vice Chair as needed, and members of all Council Committees, whether standing, ad-hoc, special or otherwise. The President shall be an ex-officio member, with vote, on each committee.

The following shall be the standing committees of Council:

|                                    |  |
|------------------------------------|--|
| Finance & Economic Development     | Public Works & Transportation          |
| Public Safety                      | Health, Aging & Disabilities           |
| Education, Youth & Family Services | Community Development & Urban Planning |
| Intergovernmental                  | Personnel                              |

#### **RULE 11 - COMMITTEE RULES AND POWERS**

Each standing committee is authorized to hold such hearings, to sit and act at such times and places, to call witnesses and request the production of such correspondence, books, papers, and documents necessary. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance with the approval of the President of City Council. Any questions that may arise in regard to the powers and jurisdiction of any committee of Council shall be determined by the Council sitting as the Committee of the Whole.

The rules of each committee shall be made available to the public through the City Council Office.

Meetings of each standing committee shall be called by the Chair as he/she may deem necessary for the transaction of business before the committee. If at least two members of any such committee desire that a special meeting of the committee be called by the Chair, those members may file with the City Council Office, their written request to the Chair for that special meeting. Immediately upon the filing of the request, the President of City Council or his/her designee shall notify the Chair of the filing of the request. If, within three calendar days after the filing of the request, the Chair does not call the requested special meeting, the President of City Council may file with the City Clerk his or her written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour.

**Immediately upon the filing of the notice, the Clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the Chair of any such committee is not present at any regular, additional, or special meeting of the committee, the Vice Chair and in the absence of the Chair and Vice Chair, the Chair shall designate a Council Member to preside at that meeting.**

**Each committee shall make public announcement of the date, place, and subject matter of any meeting to be conducted by the committee on any measure or matter at least seven days before the commencement of that meeting.**

**Notwithstanding any other provision of the rules, when City Council is in session, no committee shall meet. Unless consent has been obtained from the President of City Council, no committee may meet on the same day City Council is in session. The President of City Council or his/her designee shall announce to City Council whenever consent has been given under this subparagraph and shall state the time and place of such meeting.**

**Each meeting of a committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee thereof on the same subject for a period of no more than three consecutive meetings when the President of City Council or the Chair of the Committee deems it necessary, to discuss only whether the matters enumerated in clauses (1) through (5) would require the meeting to be closed, followed immediately by a roll call vote in open session by a majority of the members of the entire body when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:**

- (1) Will relate solely to matters of committee staff personnel or internal staff management or procedures;**
- (2) Will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;**
- (3) Will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;**
- (4) Will disclose information relating to financial or commercial information relating to the City of Wilmington that is required to be kept confidential; or**
- (5) May divulge matters required to be kept confidential under other provisions of law or Governmental regulations.**

**Any committee meeting is open to the public, and may be broadcast by radio or**

television, or both, under such rules as the committee may adopt.

Whenever disorder arises during a committee meeting that is open to the public or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his/her own initiative and without any point of order being made by a Council member. When the Chair finds it necessary to maintain order, he/she shall have the power to clear the room and the committee may act in closed session for so long as there is doubt of the assurance of order.

The attendance of at least three (3) members assigned to a committee is required to establish quorum for the purpose of conducting business at said committee. Council members not assigned to a particular committee may attend and participate in any such committee meeting but may not vote or otherwise take action on items before said committee. City Council determines the number of members assigned to the committee.

The vote of any committee to report a measure or matter or submit an ordinance for consideration by the entire body of City Council shall require the concurrence of a majority of the members of the committee who are present.

Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. The results of roll call votes taken in any meeting or any committee upon any measure, or any amendment thereto, shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and votes cast in opposition to each such measure and amendment by each member of the committee who was present at the meeting.

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the Council member's office records who serve as Chair of the committee; and such records shall be the property of City Council and all members of the committee and the City Council shall have access to such records.

#### **RULE 12 – SPECIAL COMMITTEES**

All special committees shall be appointed by the Council through Resolution.

#### **RULE 13 - COMMITTEE REPORTS**

The presentation of reports of committees shall be in writing and state the fact of the matter referred, together with the conclusions and recommendations of the particular committee. The failure of a sponsor or co-sponsor from securing the signatures of a majority of the committee's members shall prevent the sponsor from bringing an ordinance to the floor for a vote of the full Council.

Written minutes of all Committee meetings shall be taken and maintained by Council Staff in the Council's files and provided in hard copy to any Council member upon request.

#### **RULE 14 - MOTIONS**

When a question is under debate, the only motions in order shall be:

1. To adjourn
2. To lay on the table
3. To refer
4. To amend
5. To postpone to certain time

The above motions shall have precedence in the order listed.

#### **RULE 15 - MOTION TO ADJOURN**

A motion to adjourn the Council meeting shall always be in order, except when a member is in possession of the floor, while the yes and nos are being called, when adjournment was the last motion decided and there was no intervening business.

A motion to adjourn cannot be amended but a motion to postpone to a given day or time may be and is open to debate as specified in Rule 17.

#### **RULE 16 - MOTION TO LAY ON THE TABLE**

A motion to "lay on the table" or simply "to table" is not debatable. This motion is properly brought when used to interrupt pending business so that the Council may consider another matter of immediate urgency. This motion cannot be used to put off dealing with a matter.

#### **RULE 17 - MOTION TO POSTPONE TO CERTAIN TIME**

This motion is properly brought when debate has shown reasons for holding off final vote until a later, but defined time (i.e., subsequent Council meetings). This motion is debatable but the debate shall be limited to whether the main question should be postponed and to what time. Debate on the merits of the main question is improper.

#### **RULE 18 - MOTION TO REFER**

A motion to refer to a standing committee shall take precedence over a similar motion to refer to a special committee.

#### **RULE 19 - MOTION TO AMEND**

**A motion to amend an amendment shall be in order but a motion to amend an amendment to an amendment shall not be entertained. An amendment modifying the intention of a motion, resolution or ordinance shall be in order, but an amendment relating to a different subject matter shall not be in order.**

#### **RULE 20 - AMENDMENTS**

**An amendment to strike out and insert the words, sentence, or paragraph to be amended shall be first read as it stands; then the words, sentence or paragraph proposed to be struck out and those to be inserted, and finally, the paragraph as it will read with the amendment.**

#### **RULE 21 - RECONSIDERATION**

**A question may be reconsidered at any time during the same meeting or at the next stated meeting thereafter, but only if the question failed to be approved. A motion to reconsider must be made by a member of Council who voted with the prevailing side, or in case of equal division, by a member of Council who voted in the negative.**

**Once a question has been decided by Council, whether contained in a motion, resolution or ordinance, no member of Council who did not vote with the prevailing majority, or in the negative in case of an equal division, may bring substantially the same matter before Council again during the same session of Council, which begins with the organizational meeting following the general election of members of Council, and extends to the final meeting before the next organization meeting. The President shall determine whether a question constitutes substantially the same matter whenever a member of Council who did not vote with the prevailing side requests that an ordinance or resolution on a similar matter be prepared or placed upon the agenda, moves for a suspension of the rules to add the matter to the agenda as published, or otherwise moves that the matter be again considered.**

#### **RULE 22 - SUSPENSION OF RULES**

**Except as limited by Rule 23, rules may be suspended by approval of a majority vote of the members of Council in attendance.**

#### **RULE 23 - EFFECTIVE DATE; REPEAL, ALTERATION OR AMENDMENT OF RULES**

**These rules shall be effective immediately upon their adoption by City Council and shall not be repealed, altered or amended unless a motion to do so is presented in resolution**

**form and passed by a two-thirds vote of all members of Council.**

**No rule providing for a vote greater than a simple majority on any matter may be suspended or amended except by the same vote required for approval of the underlying matter.**

**No rule may be suspended or amended in derogation of an existing right or privilege of any member, except by a two-thirds vote of all the members of Council.**

#### **RULE 24 – PARLIAMENTARIAN FOR CITY COUNCIL**

**The City Solicitor or his/her designee shall be the official parliamentarian for all City Council Meetings and shall advise the President on questions of parliamentary procedure. The City Solicitor or his/her designee may advise the Council on legal questions related to pending legislation, upon obtaining the floor from the President.**

#### **RULE 25 – ROBERT’S RULES OF ORDER**

**All questions of parliamentary procedure not provided for in these rules shall be decided in accordance with the latest edition of Robert’s Rules of Order.**

#### **RULE 26 - ESTABLISHMENT OF COUNCIL SALARIES**

**Except between July 1 and December 31 in years when elections to Council are held, whenever an ordinance is enacted that provides for a general increase in the salary schedules for non-union classified employees under the merit system, the Chair of the Finance Committee shall prepare and introduce for consideration, an ordinance providing for an increase of the same proportion that will apply to Council members to be elected at the following general election. If employee salary schedules are increased after June 30 in a Council election year, the Chair of the Finance committee taking office the following January shall, within 30 days after taking office, introduce for consideration such an ordinance that will apply to Council members elected at the next-following election.**

Wilmington, Delaware  
January 5, 2021

**Rev. 1  
#0005**

**Sponsors:**

**Council  
Members  
Johnson  
Oliver  
Fields  
Field  
Cabrera  
Spadola  
Walsh**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall appoint a City Clerk at the organizational Council meeting to be held on the first Tuesday after the first Monday in January next succeeding the election of Council Members; and

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall employ such other persons as may be necessary for the discharge of its business; and

**WHEREAS**, City Council is holding its organizational meeting for the 108th Council Session on Tuesday, January 5, 2021 at 8:00 p.m.; and

**WHEREAS**, Council deems it desirable to appoint a City Clerk and certain other persons necessary for the proper discharge of its business, all of whom shall serve at the pleasure of City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the following persons are hereby appointed as employees of City Council and shall be placed on the payroll of the City of Wilmington in the Office of the City Clerk:

- |                       |                                    |
|-----------------------|------------------------------------|
| 1. Daniel T. Walker   | Chief of Staff                     |
| 2. Marchelle Basnight | Strategy & Policy Director         |
| 3. To be determined   | Legislative & Community Director   |
| 4. Maribel Seijo      | City Clerk                         |
| 5. Traci Owens        | Executive Administrative Assistant |

- |                      |  |
|----------------------|--|
| 6. To be determined  | Legislative Administrative Assistant/Deputy City Clerk |
| 7. Akira Grenardo    | Legislative Administrative Assistant                   |
| 8. India Williams    | Producer   |
| 9. Amanda Robins     | Producer   |
| 10. Yesenia Taveras  | Senior Producer/On-Air Talent                          |
| 11. Mik Austin       | Senior Producer/On-Air Talent                          |
| 12. Wendell Raulston | Deputy Station Manager                                 |
| 13. Paul Colsey      | Station Manager  |
| 14. To be determined | Digital & Web Content Coordinator                      |
| 15. Saquan Stimpson  | Digital Media & Content Producer                       |

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to forward copies of this Resolution to the Director of Human Resources, the City Treasurer, and the City Auditor.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution appoints the City Clerk and other City Council employees for the 108th Session of the Council of the City of Wilmington.

W0112917



Wilmington, Delaware  
January 5, 2021

#0006

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council

**Sponsors:**

shall provide for such committees as it deems necessary; and

**Council  
Members  
Johnson  
Oliver  
Fields  
Field  
Cabrerera  
Spadola  
Walsh**

**WHEREAS**, City Council deems it desirable to establish the standing committees of Council for the 108th Council Session; and

**WHEREAS**, City Council deems it desirable to make personnel assignments to such standing committees.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the standing committees of the Council of the City of Wilmington for the 108th Council Session and the personnel assignments for such committees shall be as follows:

**Finance & Economic Development**

Chair: Christofer Johnson  
Vice Chair: Michelle Harlee  
Nathan Field  
Zanthia Oliver  
Loretta Walsh  
James Spadola

**Education, Youth & Family Services**

Chair: Yolanda McCoy  
Vice Chair: Linda Gray  
Shane Darby  
Bregetta Fields

**Public Safety**

Chair: Loretta Walsh  
Vice Chair: Rysheema Dixon  
Linda Gray  
Christofer Johnson  
Michelle Harlee  
James Spadola

**Health, Aging & Disabilities**

Chair: Rysheema Dixon  
Vice Chair: Maria Cabrera  
Michelle Harlee  
Yolanda McCoy  
Bregetta Fields

**Community Development & Urban Planning**

Chair: Maria Cabrera  
Vice Chair: Nathan Field  
Yolanda McCoy  
Bregetta Fields  
James Spadola  
Shane Darby

Chair: Linda Gray  
Vice Chair: Shane Darby  
Michelle Harlee  
Yolanda McCoy  
Zanthia Oliver

**Public Works & Transportation**

Chair: Zanthia Oliver  
Vice Chair: Loretta Walsh  
Linda Gray  
Nathan Field  
Bregetta Fields  
James Spadola

**Personnel**

Chair: Michelle Harlee  
Vice Chair: Christofer Johnson  
Shane Darby  
Nathan Field  
James Spadola

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution establishes the standing committees of the Council of the City of Wilmington for the 108th Council Session and the personnel assignments for such committees.

W0112935

Wilmington, Delaware  
January 5, 2021

#0007

**Sponsors:**

**Council  
Members  
Johnson  
Oliver  
Fields  
Field  
Cabrera  
Spadola  
Walsh**

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall elect from among its members a President Pro Tempore to act in the event of the absence or disability of the Council President.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Maria Cabrera is hereby elected as President Pro Tempore of the Council of the City of Wilmington for the 108th Council Session.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution elects Maria Cabrera as President Pro Tempore of the Council of the City of Wilmington for the 108th Council Session.

W0112767