



# City of Wilmington

Wilmington City Council

Louis L. Redding City/County Building  
800 N. French Street  
Wilmington, Delaware 19801-3537

phone (302) 576-2140  
fax (302) 571-4071  
www.WilmingtonDE.gov

## NOTICE

### **VIRTUAL COMMITTEE OF THE WHOLE MEETING FEBRUARY 9, 2021 @ 5:00 P.M.**

#### AGENDA

- A Resolution Assigning a Council Member to the Education, Youth & Family Services Committee and a Council Member to the Health, Aging & Disabilities Committee
- A Resolution Approving Two Members Appointed by Mayor Michael S. Purzycki to the Wilmington Ethics Commission
- A Resolution to Amend City Council Rules 2 and 3 Regarding Public Comment
- A Resolution to Amend City Council Rule 2 to Clarify the Process for Legislative Items to be Placed on the Agenda and to Authorize the Chief of Staff of City Council to Determine the Agenda for City Council Meetings
- A Resolution to Amend City Council Rule 2 to Add an Additional Period of Public Comment and an Additional Round of Debate Among Council Members for Each Legislative Item
- A Resolution to Amend City Council Rule 10 to Change the Intergovernmental Standing Committee to the Intergovernmental Affairs and Judiciary Standing Committee

The public can access the meeting by clicking the following link:

<https://zoom.us/j/91251801066>

**Webinar ID: 912 5180 1066**

Or by Telephone by dialing: (929) 205-6099 or (301) 715-8592

You will be asked for the Webinar ID. Please enter **912 5180 1066** and then #. You can press # again when prompted to immediately enter the meeting.

(2/02/2021)

*If public comment is permitted during this committee meeting, any member of the public who wishes to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment.*

Wilmington, Delaware  
February 18, 2021

#

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

**Sponsor:**

shall provide for such committees as it deems necessary; and

**Council  
President  
Congo**

**WHEREAS**, on January 5, 2021, City Council adopted Resolution No. 21-006 establishing the standing committees of Council for the 108th Council Session and making the personnel assignments for such standing committees; and

**WHEREAS**, City Council deems it desirable to revise the aforementioned personnel assignments to add one Council Member to the Education, Youth & Family Services Committee and one Council Member to the Health, Aging & Disabilities Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Council Member Oliver is hereby added to both the Education, Youth & Family Services Committee and the Health, Aging & Disabilities Committee for the 108th Council Session.

Passed by City Council,

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

**SYNOPSIS:** This Resolution adds Council Member Oliver to both the Education, Youth & Family Services Committee and the Health, Aging & Disabilities Committee for the 108th Council Session.

W0113181

Wilmington, Delaware  
February 18, 2021

# \_\_\_\_\_

**Sponsor:**  
**Council**  
**Member**  
**Johnson**

**WHEREAS**, City Council has enacted provisions set forth in Chapter 2 of the City Code constituting the City’s Code of Conduct, with the provisions thereof paralleling the provisions of the State Code of Conduct that are set forth in 29 Del. C. Ch. 58; and

**WHEREAS**, Section 2-343(a) of the City’s Code of Conduct sets forth provisions regarding the establishment of the Wilmington Ethics Commission (the “Commission”), to “consist of seven (7) members appointed by the Mayor with the concurrence by resolution of a majority of all members of council”; and

**WHEREAS**, Section 2-343(b) of the City’s Code of Conduct provides that each member of the Commission is appointed for a term of four years and no member may serve for more than two full four-year terms; and

**WHEREAS**, two members of the Commission, Frank Hawkins and Denison Hatch, have each served two full four-year terms; and

**WHEREAS**, the Mayor has appointed two new members to the Commission, Theophilus R. Nix, Jr. and William S. Montgomery, to fill the vacancies left by the expiration of the terms of Frank Hawkins and Denison Hatch; and

**WHEREAS**, City Council deems it necessary and appropriate to express its concurrence with the aforementioned appointment of two new members of the Commission to fill vacancies caused by term expirations; and

**WHEREAS**, the requirements that not more than four members of the Commission be registered with the same political party and that no member hold any elected, appointed, or political party or campaign office are satisfied with the proposed appointments.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby expresses its concurrence with the appointment by Mayor Michael S. Purzycki of Theophilus R. Nix, Jr. and William S. Montgomery to the Commission to each serve a four-year term beginning on the date of passage of this Resolution.

Passed by City Council,

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

**SYNOPSIS:** By this Resolution, City Council expresses its concurrence with Mayor Michael S. Purzycki's appointment of Theophilus R. Nix, Jr. and William S. Montgomery to the Wilmington Ethics Commission, effective as of the date of passage of this Resolution.

W0113215

Wilmington, Delaware  
February 18, 2021

**#XXXX**                    **WHEREAS**, on January 5, 2021, the 108th Session of Wilmington City Council  
**Sponsor:**                adopted its Rules by Resolution 21-004; and

**Council**                    **WHEREAS**, City Council seeks to amend Rules 2 and 3 regarding public comment in  
**Member**                    order to provide a meaningful opportunity for members of the public to make remarks  
**Field**                        regarding legislative items or other official City business while ensuring that the business of  
City Council is conducted in an orderly and efficient manner; and

**WHEREAS**, in light of the foregoing, City Council deems it necessary and appropriate to amend City Council Rules 2 and 3 to: (1) provide an opportunity for members of the public to submit written comments pertaining to legislative business items on Council meeting agendas; (2) provide a thirty (30) minute public comment period prior to the convening of official City Council meetings; (3) provide each member of the public who wishes to provide public comment three (3) minutes to speak during the public comment period; (4) eliminate the current public comment period which occurs during the order of business at official meetings of City Council; (5) eliminate the current restriction on the public comment period that allows only City of Wilmington residents or taxpayers to provide public comment; (6) prohibit members of the public from the use of obscene, profane and/or threatening language, and speech and behavior which disrupts the conduct of the public comment period; (7) prohibit members of the public from addressing their remarks directly to Council members and/or the President or his designee; and (8) authorize the Deputy City Clerk to enforce the City Council rules pertaining to public comment.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Rules 2 and 3 of the City Council Rules are hereby amended by deleting the stricken language and adding the underlined language to read as follows:

**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's 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) I) 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.~~

~~K) 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 (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) I), Legislative Business.~~

~~L) K) Public Hearings (if needed).~~

~~M) 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 City 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 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

Prior to the convening of City Council, members of the public shall be permitted to submit written comments pertaining to items of legislative business on the current Council meeting agenda. Each written comment pertaining to a matter of legislative business on the agenda that is received by the City Clerk by 4:00 p.m. on the day of the Council meeting will be forwarded to City Council or to the Council Member(s) to whom the comment is addressed prior to the start of the Council meeting. Comments received after 4:00 p.m. on the day of the Council meeting will be forwarded to City Council or to the Council Member(s) to whom the comment is addressed within twenty-four (24) hours. Written comments shall be emailed to the City Clerk at mseijo@wilmingtonde.gov. The subject line of the email must include the agenda number or otherwise specify the legislative matter(s) addressed.

Thirty minutes before the time appointed for each regular meeting of City Council (6:00 p.m. to 6:30 p.m.), the President or his designee shall commence the public comment period to hear comments from members of the public. Any member of the public who desires to participate in the public comment period must sign up via the mechanism listed on the respective City Council agenda no later than 5:55 p.m. prior to the convening of the public comment period. The President or his designee shall call upon each speaker to offer their comments in the order in which their names appear on the sign-up list. All speakers must adhere to the following rules for public comment which shall be enforced by the Deputy City Clerk:

- (1) No speaker shall be permitted to exceed three (3) minutes of public comment.
- (2) Comments must be germane to items on the present Council meeting agenda or otherwise related to official City business.
- (3) No speaker shall address any remark or question to any specific member of Council, nor shall any speaker be permitted to address the President or his designee.
- (4) Speakers are prohibited from the use of obscene, profane, and/or threatening language.
- (5) No speaker shall willfully engage in speech or behavior that is disruptive of the conduct of the public comment period.

The President may place additional reasonable limitations on public comment to permit the President or his designee to conduct the public comment period efficiently and to maintain order, including limiting repetitious comments.



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 a 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 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.

Passed by City Council,

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

**SYNOPSIS:** This Resolution amends City Council Rule 2 to eliminate: (1) the current public comment period that occurs during the official order of business at City Council meetings and (2) the current restriction on the public comment period that allows only City of Wilmington residents or taxpayers to provide public comment. In the place of the current public comment period, this Resolution amends City Council Rule 3 to establish a thirty (30) minute public comment period prior to the convening of regular City Council meetings. In addition, this Resolution amends City Council Rule 3 to: (1) set forth the time by which members of the public must sign up to participate in the public comment period; (2) provide the opportunity for members of the public to submit written comments pertaining to legislative business items on Council meeting agendas prior to the respective Council meetings; (3) limit each member of the public to comments that do not exceed three (3) minutes in duration and are germane to legislation on the Council meeting agenda or official City business; (4) prohibit members of the public from engaging in obscene, profane, and/or threatening speech; (5) prohibit members of the public from addressing their remarks directly to Council members and/or the President or his designee; and (6) authorize the Deputy City Clerk to enforce the rules governing public comment.

Wilmington, Delaware  
February 18, 2021

**#XXXX**  
**Sponsor:**  
**Council President Congo**

**WHEREAS**, the 108th Session of Wilmington City Council has taken action, through the adoption of City Council Rule 2, to ensure that every legislative item requested by the legislation’s sponsor in accordance with the notice requirement contained in Rule 2 is included on Council meeting agendas; and

**WHEREAS**, City Council Rule 2 currently provides, in relevant part, that: (1) Council meeting agendas shall be determined by the Clerk of Council and (2) the Clerk of Council shall include on the agendas every piece of legislation requested by the legislation’s sponsor provided at least fourteen (14) days’ notice was given by the sponsor; and

**WHEREAS**, while Council maintains the belief that a person other than the Council President should have the responsibility of determining Council meeting agendas in order to ensure that all legislation requested to be placed on Council agendas in accordance with the notice requirements set forth in Rule 2 is placed on such agendas, Council deems it appropriate to assign this duty to the Chief of Staff of City Council, rather than the Clerk of Council; and

**WHEREAS**, City Council would like to clarify the calculation of the fourteen (14) days’ notice requirement; and

**WHEREAS**, City Council deems it necessary and appropriate to amend City Council Rule 2 to provide that: (1) Council meeting agendas shall be determined by the Chief of Staff of City Council and (2) sponsors of legislation must provide at least fourteen (14) business days’ notice prior to a Council meeting in order for a legislative item to be placed on the Council meeting agenda.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Rule 2 of the City Council Rules is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

**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's 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.

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 City Council.

Pursuant to FOIA, an agenda as determined by the ~~Clerk of Council~~ Chief of Staff of City Council shall be prepared for each meeting in a sufficient number of copies for distribution to members of the public. The ~~Clerk of Council~~ Chief of Staff shall include on the agenda every piece of legislation requested by the legislation's sponsor provided at least fourteen (14) business days' notice prior to the Council meeting 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) business days' notice prior to the Council meeting for it to be added to a subsequent agenda. Council Members and the administration shall be provided an agenda in 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.

Passed by City Council,

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

**SYNOPSIS:** This Resolution amends City Council Rule 2 to grant the authority, previously held by the City Clerk, to the Chief of Staff of City Council to determine the agendas for City Council meetings. It also amends Rule 2 to provide that the notice requirement for legislation to be included on a Council meeting agenda is fourteen (14) business days prior to the Council meeting. It is the express intent of Council, as set forth in Rule 2, that the Chief of Staff shall include on the Council meeting agenda every piece of legislation requested by the legislation's sponsor at least fourteen (14) business' days prior to the Council meeting.

W0113228

Wilmington, Delaware  
February 18, 2021

**#XXXX**                    **WHEREAS**, the 108th Session of Wilmington City Council believes openness, transparency, and accountability are important policies; and

**Sponsor:**                    **WHEREAS**, City Council believes the public should have the opportunity to comment on all legislation with legislative effect during the legislative business portion of City Council meetings; and

**Council  
Member  
Gray**

**WHEREAS**, City Council deems it necessary and appropriate to amend City Council Rule 2 to provide public comment periods during which members of the public will have an opportunity to address each legislative item on the agenda that has a legislative effect and will be acted by Council. A period of public comment shall take place before members of City Council begin debate on an item with legislative effect. The public will be allowed to comment in increments of three (3) minutes. Each public comment period occurring during the Legislative Business portion of the agenda shall be followed by a round of debate by members of City Council during which each Council member will be entitled to speak twice on the matter subject to debate for a period of five (5) minutes prior to voting on the legislative item. The Council member who brought the legislation before Council shall close the debate, followed by a vote on the legislative item; and

**WHEREAS**, in addition, Council deems it necessary and appropriate to amend City Council Rule 2 to eliminate the current restriction on public comment that allows only City of Wilmington residents or taxpayers to provide public comment.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Rule 2 of the City Council Rules is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

## 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's 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) General 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 during this portion of a Council 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 Council member is entitled to speak twice subsequent to the public comment period 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.~~

After the reading of each resolution with legislative effect and the third and final reading of each ordinance by the City Clerk there shall be an opportunity for public comment in increments of three (3) minutes. Each member of the public is limited to (3) minutes of public comment per item of legislative business during this portion of a Council meeting.

After the close of each public comment period on items of legislative business, each Council 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.

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 City 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 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.

Passed by City Council,

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

**SYNOPSIS:** This Resolution amends City Council Rule 2 to add a public comment period before debate by members of City Council on items with legislative effect, during which members of the public will be allowed to comment in increments of three (3) minutes on each legislative item that will be voted on by City Council. This Resolution also amends City Council Rule 2 to eliminate the current restriction on the public comment that allows only City of Wilmington residents or taxpayers to provide public comment.

Wilmington, Delaware  
February 18, 2021

**#XXXX**

**Sponsor:**

**Council Member Darby**

**WHEREAS**, many municipal legislative bodies across the Country operate under a committee system that includes a standing Judiciary committee. While the functions of these committees may differ in detail, judiciary committees of municipal legislative bodies are generally responsible for providing government oversight - making inquiries concerning the administration of existing laws for the purpose of considering and recommending legislative action - to improve the efficiency and integrity of, and increase accountability and transparency in, all branches of local government; and

**WHEREAS**, historically, the functions of the Judiciary committee of the Wilmington City Council included considering and making recommendations on intergovernmental issues, confirmation of judicial and executive positions, revising and improving the City Charter and City Code, and considering legal issues or matters which impact the City of Wilmington; and

**WHEREAS**, this Council has determined that it is in the best interest of this legislative body, the City of Wilmington, and the State of Delaware to revive the Judiciary committee as a standing committee of Council. This shall be accomplished by expanding the name and function of the Intergovernmental committee to the Intergovernmental Affairs and Judiciary committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that Rule 10 of the City Council Rules is hereby amended by adding the underlined language to read as follows.

**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 Safety  
Education, Youth & Family Services  
Intergovernmental Affairs & Judiciary

Public Works & Transportation  
Health, Aging & Disabilities  
Community Development & Urban Planning  
Personnel

Passed by City Council,

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

**SYNOPSIS:** This Resolution converts the Intergovernmental standing committee to the Intergovernmental Affairs and Judiciary standing committee.

W0113279

DRAFT