

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
March 19, 2020*

City Council met in “**virtual**” regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

The Pledge of Allegiance was recited by City Council.

### **ROLL CALL**

The following members responded to the Call of the Roll: Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, twelve. Absent with leave, Council Member Walsh. Total, one.

### **MINUTES**

After reading a portion of the minutes of February 20, 2020, upon a motion of Council Member Congo, seconded by Council Member Freel, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Community Development &amp; Urban Planning Committee Members</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Rysheema Dixon, Chair	X		
Yolanda McCoy, Vice-Chair	X		
Ernest “Trippi” Congo, II	X		
Linda M. Gray	X		
Zanthia Oliver		X	
Va’Shun “Vash” Turner			
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of  
The City of Wilmington

February 13, 2020

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee, to who was referred **Ordinance No. 19-050** (Sub. 1) entitled:

AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE II OF THE CITY CODE REGARDING NUISANCES CAUSED VACANT PROPERTIES

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

Respectfully submitted, Members of  
 Community Development & Urban Planning Committee  
 /s/Rysheema Dixon, Chair  
 /s/Yolanda McCoy  
 /s/Ernest Congo, II  
 /s/Linda M. Gray

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

Note: Although President Shabazz was present and reflected in the above-referenced Committee Report, her signature was inadvertently missed.

The City Clerk read the following committee report:

<u>Finance &amp; Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray			X
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh		X	
Dr. Hanifa Shabazz, Ex-Officio		X	

President and Members of Council of  
 The City of Wilmington

March 12, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee, to who was referred **Ordinance No. 20-008** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF WILMINGTON, DELAWARE AND OPERATIONS MANAGEMENT INTERNATIONAL, INC. FOR THE MANAGEMENT, ADMINISTRATION, OPERATION, AND MAINTENANCE OF THE WILMINGTON WASTEWATER TREATMENT PLANT, RENEWABLE ENERGY AND BIOSOLIDS FACILITY, MAIN PUMP STATIONS, STORAGE AND CONTROL

STRUCTURES AND SYSTEMS ASSOCIATED WITH THE  
CONTROL OF COMBINED SEWER OVERFLOWS (INCLUDING  
GLOBAL OPTIMAL REAL TIME CONTROL SYSTEM), AND  
ASSOCIATED INFRASTRUCTURE

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

Respectfully submitted, Members of  
/s/Charles M. Freel, Chair  
/s/Ciro Adams

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

**TREASURER'S REPORT**

The following Treasurer's Report as of March 16, 2020, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Members McCoy and Freel, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 4 to Page 5.*

# City of Wilmington Delaware

**Velda Jones-Potter**  
City Treasurer

Louis L. Redding City/County Building  
800 French Street  
Wilmington, Delaware 19801-3537  
(302) 576-2480  
treasurer@wilmingtonde.gov



## City of Wilmington Treasurer's Report as of March 16, 2020


**Cash on Hand:**

General Account	M & T Bank	\$11,427,703.18
Central Deposit	M & T Bank	\$508,180.62
Payroll	M & T Bank	\$987,551.06
Total Petty Cash Accounts	M & T Bank	\$11,127.23
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$1,090,085.32
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,659.33
Police Department Discretionary	M & T Bank	\$25,360.82
Pension Payroll Account	M & T Bank	\$142,557.97
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,500.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$368,127.75
Police Pension Account	M & T Bank	\$365,993.07
Fire Pension Account	M & T Bank	\$22,866.83
Worker's Comp 3rd Party Account	M & T Bank	\$34,913.51
Retiree Healthcare Account	M & T Bank	\$266,912.97
<b>SubTotal</b>		<b>\$15,444,467.74</b>
<b>Total Cash on Hand</b>		<b>\$15,444,467.74</b>

**INVESTMENTS March 16, 2020:**

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>GENERAL FUND:</b>						
General	TD	CD	3/26/2020	1.70%	\$12,726.39	\$3,500,000.00
General	TD	CD	4/2/2020	1.34%	\$4,582.36	\$3,517,376.00
General	TD	CD	4/2/2020	1.44%	\$5,760.00	\$3,000,000.00
General	TD	CD	4/28/2020	1.50%	\$15,833.33	\$4,000,000.00
General	TD	CD	5/28/2020	1.50%	\$31,250.00	\$6,000,000.00
General <sup>1</sup>	WSFS	CD	6/18/2020	1.62%	\$95,625.00	\$17,000,000.00
<b>SUB-TOTAL:</b>						<b>\$37,017,376.00</b>
<b>CAPITAL FUND:</b>						
Capital ≤ 2015	TD	CD	5/21/2020	1.65%	\$47,356.82	\$10,651,955.58
Capital ≥ 2018	TD	CD	5/20/2020	0.68%	\$20,205.27	\$15,281,294.70
<b>SUB-TOTAL:</b>						<b>\$25,933,250.28</b>
<b>RISK MGMT:</b>						
Risk Management	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Worker's Comp	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Retiree Medical Escrow	Vanguard-OPEB					\$24,293,929.00
<b>SUB-TOTAL:</b>						<b>\$40,868,563.22</b>
<b>PENSION FUND:</b>						
Non-Uniform 1990	WSFS	CD	3/27/2020	1.45%	\$4,760.76	\$4,280,000.00
Escrow Pension	Edgar Lomax					\$21,981,235.00
Escrow Pension	Vanguard Fixed					\$41,394,208.00
Escrow Pension	Earnest Partners					\$24,205,636.00
Escrow Pension	Wilmington Trust					\$40,551,131.00
Escrow Pension	Vanguard Stock Index					\$36,261,600.00
Escrow Pension	Artisan Global					\$8,068,123.00
Escrow Pension	Dodge & Cox					\$10,746,388.00
Escrow Pension	Fidelity					\$10,024,283.00
Escrow Pension	Harding Loevner					\$8,846,437.00
Escrow Pension	MFS Management					\$23,441,611.00
Escrow Pension	Clarion Lyon					\$9,806,396.00
Escrow Pension	Money Market					\$316,049.00
Escrow Pension	Morgan Stanley					\$6,157,618.00
<b>SUB-TOTAL:</b>						<b>\$246,080,715.00</b>
<b>OTHER:</b>						
Deferred Comp.	MassMutual					\$46,096,130.55
Contractual Requirements	WSFS	CD	7/1/2020	1.45%	\$20,638.07	\$3,049,961.78
Port Debt	WSFS	CD	7/15/2020	1.40%	\$11,537.20	\$1,978,890.00
<b>Total Investments</b>						<b>\$397,974,928.05</b>
<b>Total Cash on Hand</b>						<b>\$15,444,467.74</b>
<b>Grand Total</b>						<b>\$413,419,392.79</b>

<sup>1</sup> Budget Reserve

  
 \_\_\_\_\_  
**Velda Jones-Potter, City Treasurer**

**NON-LEGISLATIVE BUSINESS**

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

- |         |   |
|---------|---|
| Harlee  | Sympathy Aaron Woody  |
| McCoy   | Recognize Dr. Lisa Lynch  |
| McCoy   | Recognize I Am My Sister’s Keeper                                       |
| McCoy   | Recognize Women’s History Month   |
| Oliver  | Recognize Benedictine Sister Margaret Mary Graney                       |
| Oliver  | Sympathy Sabria M. Corbin   |
| Oliver  | Sympathy Susan Cooper   |
| Oliver  | Sympathy Martin Reed, Jr.   |
| Oliver  | Recognize Albert English – CIAA Hall of Fame                            |
| Oliver  | Sympathy Dorothy Georgie Burkett Talbert                                |
| Oliver  | Sympathy Bishop Joenathan Hunter, Sr.                                   |
| Oliver  | Sympathy Evon K. Minott   |
| Oliver  | Sympathy Gladys L. Gordy  |
| Oliver  | Sympathy James E. Scott   |
| Oliver  | Sympathy Arlene I. Petty  |
| Oliver  | Sympathy Rev. Swather John Watson                                       |
| Oliver  | Sympathy Thelma M. Freeman  |
| Oliver  | Sympathy Elizabeth J. Sudler  |
| Oliver  | Sympathy Marie Twyman   |
| Oliver  | Sympathy Patricia Baul  |
| Oliver  | Sympathy Hugh G. Waters   |
| Shabazz | Recognize Dr. Tony Allen  |
| Shabazz | Sympathy Emoni Rivers-Boyd  |
| Shabazz | Commend Interdenominational Church Ushers Association of Delaware, Inc. |

**LEGISLATIVE BUSINESS**

President Shabazz mentioned to members of Council that if they had input or on the question, the need for them to indicated by raising their hand on the chat.

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

Council Member Oliver presented for the first and second reading Ordinance No. 20-010 (Agenda #4781) entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO A  
SUBLEASE AGREEMENT BETWEEN THE CITY AND DETV  
FOUNDATION, INC.

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

Council Member Harlee: Yes, Council President, I have two Resolutions to present on your behalf starting with agenda #4782.

On behalf of President Shabazz, Council Member Harlee presented Resolution No. 20-015 (Agenda #4782) as follows:

**WHEREAS**, Council is requesting for a review of the City's Parking issues, which will take place by establishing a Council City-Wide Parking Taskforce Commission, who will study/research and recommend solutions to City Parking issues through legislative action; and

**WHEREAS**, the Legislative Branch of Wilmington City Government is aware of 1) the overarching and wide-ranging issues related to Parking within City Limits, 2) the individual impacts Parking has on the economy of our City, and 3), quality of life and public image problems caused by a number of Parking issues; and

**WHEREAS**, the last concerted and successful efforts of the 2007 Parking Summit produced many results in the ensuing decade or more; however, several new issues relevant to Parking in all areas of our City now require examination and legislative solutions; and

**WHEREAS**, in order to address and recommend solutions to current pressing Parking issues that are occurring throughout the City of Wilmington, the Legislative Branch of Wilmington City Government has made outreach to and has heard from a diverse and representative group of concerned citizens on parking issues throughout all areas of our City of Wilmington; and

**WHEREAS**, several Wilmington City Council Members, a representative group of concerned citizens including corporate leaders, small business owners, leaders and representatives of Neighborhood Planning Councils and civic organizations, representatives of merchant associations, DART Transit Authority representatives, City Officials, and managers/owners of parking facilities throughout the City have volunteered to identify current parking issues and engage in research to assist in the development of solutions to those issues; and

**WHEREAS**, the proposed Parking Taskforce members would focus their work in three (3) subgroups populated by their interests and areas of expertise to address parking issues in 3 Focus Areas; and

**WHEREAS**, the 3 Focus Areas of the Council City-Wide Parking Taskforce Commission are 1) Signage in Residential, Downtown and Riverfront areas of the City relevant to confusing, inadequate, or outdated signage; 2) Administrative Parking Operations and Collection of Data such as the Parking Appeals Process, Cost of Parking Tickets, PREO Enforcement Schedules, Optimal uses of Parkmobile services, Handicap Parking Rules and Utilization, and the Process for Keeping Signage updated; and, 3) Neighborhood, Business, and College Parking issues such as learning from the Neighborhood Planning Councils and Civics the specific parking issues being

experienced in each Neighborhood; learning from Businesses/Merchants the parking concerns for their customers throughout the City; and learning Parking Garage use and trends; and

**WHEREAS**, the 3 Sub-Groups will engage in their research and report to the full Commission their findings and recommendations in a timeframe beginning March 18, 2020 through the end of June 2020 culminating in proposed Legislation and a report to the Full Council sharing the findings of the Parking Taskforce Commission and next steps.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council City-Wide Parking Taskforce Commission is hereby established, comprised of members as determined by the President of City Council, including Members of City Council, residents representing corporate and small businesses, resident leaders from the Neighborhood Planning Councils and Civic associations who are not holding or seeking elected public office, City Officials, area transit authority representatives, managers/owners of parking facilities, Wilmington Parking Authority, and colleges in the City.

**FURTHER RESOLVED**, that the findings and recommendations made by the Council City-Wide Parking Taskforce Commission should be subsequently discussed and considered among the full body of City Council, and the adoption of all or part of the findings and legislative recommendations, if approved, shall take place no later than the second scheduled meeting of City Council in July 2020.

Upon a motion of Council Member Harlee, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution. Members of Council made comments. Council Member Johnson requested to be added as a co-sponsor. Council Member Oliver requested to be added as a co-sponsor. Based on discussion and state of emergency, President Shabazz accepted a friendly amendment.

Upon a motion of Council Member Oliver, seconded by Council Member Harlee, to amend the timeframe of the recommendations and reporting to Council within "180 days". Motion prevailed.

Members of Council raised questions. Council Member Dixon requested to be part of the taskforce.

At this time, President Shabazz opened up the floor for public comment.

Public Comment Speaker:

- Ms. Thompson

President Shabazz responded to speaker. Council Member Turner requested to be part of the taskforce commission as well.

President Shabazz requested the Clerk to call the roll.



The above-referenced Resolution, As Amended, was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Resolution adopted.

On behalf of President Shabazz, Council Member Harlee presented Resolution No. 20-016 (Agenda #4783) as follows:

**WHEREAS**, The National League of Cities has developed the 2020 Leading Together Cities Agenda, representing the knowledge and insights of elected leaders of America's cities, towns and villages, who serve the more than 200 million people across all party lines of Republicans, Democrats and Independents; and

**WHEREAS**, the hundreds of members of the National League of Cities are united in the belief that our nation is stronger when all levels of government work together to protect and advance the priorities of America's communities and their residents; and

**WHEREAS**, locally elected officials know what Americans, Wilmingtonians and Delawareans want from their elected officials because we are the level of government closest to the people and recognize that the Leading Together Cities Agenda reflects an understanding of Americans' top priorities and concerns; and

**WHEREAS**, Wilmington City Council agrees with and supports the 4 Shared Values of Respect, Partnership, Inclusion and Accountability in the Leading Together Cities Agenda that calls for local, state and national governments to utilize and adhere to in their relationships with each other; and

**WHEREAS**, Wilmington City Council agrees with the 4 policy and legislative priorities identified in the 2020 Leading Together Cities Agenda calling for the next President of the United States to adopt the following 4 priorities in the First 100 Days of the new administration including how to achieve these priorities: **1) Building Sustainable Infrastructure, 2) Creating A Skilled Workforce, 3) Ending Housing Instability and Homelessness, and 4) Reducing Gun Violence;** and

**WHEREAS**, Wilmington City Council agrees with making a commitment to Lead Together nationally and throughout our state of Delaware in order to support and deliver common-sense solutions for growing the economy, promoting public safety and investing in the 21<sup>st</sup> century infrastructure that will support all of America and all Delawareans to thrive.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this legislative body support the National League of Cities non-partisan "**Leading Together Cities Agenda**" to be used as a legislative road map in our City of Wilmington and with other levels of local government throughout the state of Delaware.

Upon a motion of Council Member Harlee, seconded by Council Member Dixon, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution. President Shabazz made comments.

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Resolution adopted.

Council Member Turner did not have any legislation this evening.

Council Member McCoy presented and called for the first and second reading Ordinance No. 20-011 (Agenda #4784) entitled:

AN ORDINANCE TO ENACT A TEMPORARY MORATORIUM  
ON THE MONITION OF OWNER-OCCUPIED PROPERTIES FOR  
DELINQUENT WATER UTILITY CHARGES

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

Council Member Johnson did not have any legislation this evening.

Council Member Freel stated that he would be holding agenda #4785.

Council Member Freel presented and called for the third and final reading Ordinance No. 20-008 (Agenda #4774) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF WILMINGTON, DELAWARE AND  
OPERATIONS MANAGEMENT INTERNATIONAL, INC. FOR  
THE MANAGEMENT, ADMINISTRATION, OPERATION,  
AND MAINTENANCE OF THE WILMINGTON WASTEWATER

TREATMENT PLANT, RENEWALBE ENERGY AND BIOSOLIDS FACILITY, MAIN PUMP STATIONS, STORAGE, AND CONTROL STRUCTURES AND SYSTEMS ASSOCIATED WITH THE CONTROL OF COMBINED SEWER OVERFLOWS (INCLUDING GLOBAL OPTIMAL REAL TIME CONTROL SYSTEM), AND ASSOCIATED INFRASTRUCTURE

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a professional services agreement for twenty (20) years with two (2) two-year extensions options with an estimated year one cost of Nineteen Million, Nine Hundred Sixty-Two Thousand, Forty-Eight Dollars (\$19,962,048.00). The cost of the agreement will increase annually at a minimum rate of one and one-quarter percent (1.25%) and a maximum rate of three and three-quarters percent (3.75%) as determined by the indices incorporated in the agreement; provided, however, in the event that the actual rate of increase as calculated by the indices equals or exceeds six percent (6%) for two consecutive years, then the parties shall negotiate an appropriate adjustment to address such inflationary conditions.

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

Upon a motion of Council Member Guy, seconded by Council Member Congo, to refer Ordinance No. 20-008 to Public Works & Transportation Committee and President Shabazz declared the motion **Defeated** by raise of hands of the members of Council as follows: Yeas, Council Members Gray, Congo, Turner, McCoy, Johnson and Guy. Total, six. Nays, Council Members Oliver, Harlee, Freel, Adams and Dixon, and Council President Shabazz. Total, six.

At this time, President Shabazz opened up the floor for public comment.

Public Comment Speakers:

- Ryan Lemi
- Manny Parada
- Joe Nattress

Additional comments were made by members of Council. Council Member Freel made closing remarks.

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Freel, Adams and Dixon, and Council President Shabazz. Total, eight. Nays,

Council Members Congo and Turner. Total, two. Present, Council Members Johnson and Guy. Total, two. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Ordinance adopted.

Council Member Adams presented Resolution No. 20-012 (Rev. 1 Agenda #4771) as follows:

**WHEREAS**, City Council would like to give members of the public more opportunity to attend and participate in public meetings; and

**WHEREAS**, City Council would like to afford all Council Members until 6:30 p.m. to arrive at and participate in regular Council meetings and hear all public comment; and

**WHEREAS**, City Council previously amended its Rules to provide for: (1) a second round of public comment after the close of debate on each legislative item at regular Council meetings and (2) a second round of debate by Council Members after the second round of public comment; and

**WHEREAS**, the second rounds of public comment and debate may be duplicative and can lead to excessively long and inefficient regular Council meetings; and

**WHEREAS**, City Council would like to make regular Council meetings more efficient; and

**WHEREAS**, in light of the foregoing, City Council deems it necessary and appropriate to amend City Council Rules 2 and 3 to eliminate: (1) the Committee of the Whole meetings prior to regular City Council meetings; (2) the requirement that the public sign up by 5:45 p.m. to participate in public comment during the Committee of the Whole meetings; and (3) the duplicative second round of debate by Council Members.

**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~~ regular 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 legislative business, but before a vote is started, there shall be an opportunity for public comment in three-minute increments. 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.

~~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 has 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 J), 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. 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.

**BE IT FURTHER RESOLVED** that Rule 3 of the City Council Rules is hereby amended by deleting the stricken language and adding the underlined language to read as follows:

### 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.

Upon a motion of Council Member Adams, seconded by Council Members Dixon and Oliver, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Adams spoke on the purpose of the Resolution. Members of Council made comments and raised questions.

President Shabazz opened the floor for public comments, and nobody desired the privilege of the floor.

Upon a motion of Council Member Oliver, seconded by Council Member Adams, to “**Hold**” the Resolution until April 2<sup>nd</sup> Council meeting was declared **Defeated** by President Shabazz by raised of hands by members of Council as follows: Yeas, Council Members Oliver, Johnson, Freel and Adams, and Council President Shabazz. Total, five. Nays, Council Members Gray, Congo, Harlee, Turner, McCoy, Dixon and Guy. Total, seven. Absent, Council Member Walsh. Total, one.

Additional comments were made by members of Council.

Upon a motion of Council Member Adams, seconded by Council Member Oliver, to amend the Resolution to include the *public comment* section in the Council meeting *beginning at 6:30 p.m.*, to be limited to 30 minutes, and to have public comments after each legislation without second round of comments by Councilmembers was declared **Defeated** by President Shabazz by voice vote of five (5) Yeas and six (6) Nays.

Council Member Turner made a point of order on the number of votes as there are twelve (12) members in attendance. President Shabazz responded that a member of Council did not vote, which is considered abstained and as nobody opposed the call of the vote, therefore, declared the “**Amendment**” **Defeated**.

Council Member Adams made closing remarks.

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was **DEFEATED** by the following Yea and Nay Roll Call Vote: Yeas, Council Members Oliver, Johnson, Freel and Adams. Total, four. Nays, Council Members Gray, Congo, Harlee, Turner, McCoy, Dixon and Guy. Total, seven. Present, Council President Shabazz. Total, one. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Resolution Defeated.

Council Member Dixon presented Ordinance No. 19-050 (Agenda #4738) entitled:



AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE II  
OF THE CITY CODE REGARDING NUISANCES CAUSED  
BY VACANT PROPERTIES

Council Member Dixon presented a **Substitute** in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE II  
OF THE CITY CODE REGARDING NUISANCES CAUSED  
BY VACANT PROPERTIES

Upon a motion of Council Member Dixon, seconded by Council Member McCoy, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Dixon spoke on the purpose of the Substitute Ordinance. Members of Council made comments. Council Members Turner, Harlee, Oliver and Johnson requested to be added as co-sponsor.

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

Council Member Dixon made closing remarks.

President Shabazz requested the Clerk to call the roll.

The above-referenced Substitute Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Substitute Ordinance adopted.

Council Member Dixon presented Resolution No. 20-017 (Agenda #4786) as follows:

**WHEREAS**, about 50.8 million students attend public schools, according to the National Center for Education Statistics; and

**WHEREAS**, voting in local, state and federal elections is a core right, an obligation of citizenship and a primary vehicle to ensure the United States remains a government by and for the people; and

**WHEREAS**, in 1971, the 26th Amendment of the U.S. Constitution was adopted, lowering the voting age to 18; and

**WHEREAS**, according to the Center for Information and Research on Civic Learning and Engagement, 16.9 million youth voters became eligible in 2016 to vote in their first presidential election; and

**WHEREAS**, data from Pew Research Center indicates that people between the ages of 18 and 35 are now as large a political force as the Baby Boomer generation, comprising more than 31 percent of the overall electorate; and

**WHEREAS**, voter turnout in the 2016 presidential election dipped to its lowest point in two decades with only about 53 percent of voting-age citizens participating; and

**WHEREAS**, as a result of the enactment of the National Voter Rights Act of 1993, any U.S. citizen residing in the State of Delaware, who meets the eligibility requirements, is afforded the opportunity to register to vote while obtaining or renewing a driver license. The Delaware Department of Elections and Department of Motor Vehicles capture a portion of 16- and 17-year-old voting pre-registrations and 18-year-old voter registrations through their State ID Voter Registration Program. Approximately 600 16- and 17-year-old Delawareans enroll in this program monthly. However, according to the State's data, only 500 of 8,900 of the State's current queue of citizens who are pre-registered to be automatically registered upon reaching the required age requirement are Wilmingtonians; and

**WHEREAS**, while organizations such as the Delaware League of Women Voters are widely credited with providing voter education, pre-registration and registration services to teens in Delaware's schools, there is no mandate requiring school districts to ensure that all students statewide have access to these services through the school where they are enrolled; and

**WHEREAS**, the lack of participation in the electoral process deprives individuals and communities of agency, voice and representation; and

**WHEREAS**, as a partner in the struggle for educational justice and increased civil participation across the state of Delaware and the United States of America, Wilmington City Council has the responsibility to educate and empower students and citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that we strongly encourage the Delaware General Assembly to embark on an ongoing voter registration drive for eligible high school students and others eligible to vote, wherein Delaware School Districts are the leading educational agency in their duty to address voter registration opportunities as a part of an eligible student's transition to adult, civic life.

**BE IT FURTHER RESOLVED**, that the Wilmington City Council will seek to work with our community and civil rights partners to increase voter education, registration and participation, and will educate, assist and empower those who, though ineligible to vote, need to understand their individual rights as well as the roles and responsibilities of active citizen engagement.

Upon a motion of Council Member Dixon, seconded by Council Members McCoy and Freil, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Dixon spoke on the purpose of the Resolution. Members of Council made comments. Council Members Oliver and McCoy, and Council President Shabazz requested to be added as co-sponsors.

At this time, President Shabazz opened the floor for public comments.

Public Comment Speakers:

- Nate (?)
- Coby Owens

Council Member Dixon made closing remarks.

President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, twelve. Nays, none. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Resolution adopted.

Council Member Guy presented Resolution No. 20-018 (Agenda #4778) as follows:

**WHEREAS**, City Council seeks to rescind censure Resolution 17-026 Censuring Councilman At-Large Samuel L. Guy, Esq., for Conduct Unbecoming of the Office of a Member of Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council rescinds Resolution 17-026 Censuring Councilman At-Large Samuel L. Guy, Esq., for Conduct Unbecoming of the Office of a Member of Council.

Upon a motion of Council Member Guy, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Guy spoke on the purpose of the Resolution. Members of Council made comments.

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

Additional comments made by members of Council. President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Dixon and Guy. Total, eight. Nays, Council Members Freel and Adams, and Council President Shabazz. Total, three. Present, Council Member Johnson. Total, one. Absent, Council Member Walsh. Total, one.

President Shabazz declared the Resolution adopted.

**PETITIONS AND COMMUNICATIONS**

Council President and Council Members spoke on the following: Coronavirus (COVID-19) and how everyone should take precautions, stay safe and be informed with all the information/updates being provided; individuals were thanked for various things; and including but not limited to, WITN Team were thanked for coordinating and ensuring all went well with City Council's first virtual meeting due to the current pandemic.

Council Member McCoy requested the following communication be read into the record:

March 6, 2020

The Honorable Yolanda M. McCoy  
Louis L. Redding  
City/County Building  
800 N. French Street, 9<sup>th</sup> floor  
Wilmington, DE 19801

Dear Councilwoman McCoy:

By way of this letter, you are hereby advised that ForeSite Associates submitted an application on behalf of Reybold Venture Group XI-F, LLC to rezone the properties located at 700 Maryland Avenue, 101 Lower Oak Street, and 120 Lower Beech Street, a copy of which is enclosed herein. The application is submitted to the City Clerk, which in turn refers it to the Council member representing the affected district, for submission to City Council.

Should you have any questions, please feel free to contact me. Thank you for your time and attention to this matter.

Sincerely,  
/s/Maribel Seijo  
City Clerk

Enclosure

Cc: The Honorable Hanifa Shabazz, Council President (via email w/o encl.)  
Marchelle Basnight, Council's Chief of Staff (via email w/o encl.)  
Tonya R. Richardson, Legislation & Community Director (via email w/o encl.)  
Akira R. Grenardo, Legislative Administrative Assistant (via email w/o encl.)

Upon a motion of Council Member McCoy, seconded by Council Member Freel, the communication was received, recorded and filed, and referred to the Planning Commission. Motion prevailed.

**ADJOURNMENT**

Upon a motion of Council Members Oliver and Turner, seconded by Council Members Dixon and McCoy, Council adjourned at 10:26 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk