

**REGULAR MEETING OF WILMINGTON CITY COUNCIL
NOVEMBER 19, 2015 @ 6:30 P.M.**

**Council Chambers
Louis L. Redding City/County Building
800 N. French Street - Wilmington, DE 19801
www.WilmingtonDe.gov or www.WITN22.org**

AGENDA

**I. Call to Order
Invocation
Pledge of Allegiance
Roll Call**

II. Approval of Minutes

III. Committee Reports

IV. Acceptance of Treasurer's Report

V. Non-Legislative Business

D. Brown	Recognize Dr. Lamont Browne
D. Brown	Pettinaro Management, LLC - 50 th Anniversary
Cabrera	Welcome Ji Seong-ho
Cabrera	Commend Manuel Diaz Rivas 65 th Infantry Regiment
Gregory	Sympathy Willie J. Snow, Sr.
Gregory	Recognize Howard High School Retired Teachers
Gregory	Congratulate former Blue Rock Players & World Series Champions
Gregory	Commend Delta Sigma Theta Sorority, Incorporated, Mu Pi Chapter
Gregory	Retirement Christina Superintendent Dr. Freeman Williams
Gregory/M. Brown	Best wishes John Monk - 85 th Birthday
Gregory/Wright	Congratulate Tatiana and Gerret Copeland Maritime Center
Shabazz	Sympathy Barbara Costango

VI. Legislative Business

D. BROWN

#4119 A Resolution Authorizing the Disposition of 707 E. 9th Street to Mainstream Properties

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Real Estate and Housing Department, to convey this property to Mainstream Properties for a nominal fee so the property can be rehabilitated and sold to a homeowner.*

- #4120 A Resolution Encouraging the Delaware Center for Horticulture to Rename the 12th and Brandywine Urban Farm” to “Eric Robinson Urban Farm at 12th and Brandywine”

Synopsis: *This Resolution is being presented by City Council for City Council’s review and approval. If approved, Council would be encouraging the Delaware Center for Horticulture to rename the urban community garden at 12th and Brandywine Streets to the “Eric Robinson Urban Farm at 12th and Brandywine” in honor of the late, former Wilmington City Council Member, community leader and activist, real estate entrepreneur and professional photographer.*

SHABAZZ

- #4121 A Resolution Supporting the Efforts of Transit Officials in Delaware and Maryland to Explore the Possibility of Expanding MARC Commuter Rail Service into Delaware

Synopsis: *This Resolution is being presented by City Council for City Council’s review and approval. If approved, Council would be supporting the efforts of the Delaware Transit Corporation (DTC) and Delaware Authority for Regional Transit (DART) to work with the Maryland Transit Administration to provide rail service between Perryville, Maryland and Newark, Delaware, which is the only segment of the Northeast rail corridor without rail service. The Resolution would also applaud the efforts of DTC and DART to strengthen Wilmington’s public transportation infrastructure as a means of support local economic development.*

- #4122 A Resolution Supporting the Anticipated Expansion of SEPTA Service from Philadelphia to Wilmington

Synopsis: *This Resolution is being presented by City Council for City Council’s review and approval. If approved, Council would be supporting the efforts of the Delaware Transit Corporation (DTC) and Delaware Authority for Regional Transit (DART) to work with the Southeastern Pennsylvania Transportation Authority (SEPTA) to expand rail service between Wilmington and Philadelphia to include more weekday, weekday evening and round-trip trains. The Resolution would also applaud the efforts of DTC and DART to strengthen Wilmington’s public transportation infrastructure as a means of support local economic development.*

- #4123 A Resolution Approving the Disposition of Ten (10) Properties to Central Baptist CDC

Synopsis: *This Resolution is being presented by the Administration for City Council’s review and approval. If approved, Council would be authorizing the Administration, through the Real Estate and Housing Department, to dispose of 10 properties to the Central Baptist Community Development Corporation for the purpose of being part of the National Community Reinvestment Coalition’s “Growth” initiative. The mission of the Growth initiative is to provide affordable, secure homeownership options for low to moderate income families, provide housing and financial counseling to qualified homeowners and to create construction jobs, workforce apprenticeship opportunities and workforce readiness training in targeted communities.*

#4124 A Resolution Authorizing the City to Acquire 615 South Church Street from Church Group, LLC to be used as Part of the South Wilmington Wetland project

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through Office of Economic Development, to purchase the property at 615 Church Street at a cost of \$459,000 from the seller, Church Group LLC, a Delaware limited liability company. The City will use the property as part of the South Wilmington Wetlands Project to remediate flooding in the Southbridge area and for construction of a new right-of-way to provide improved traffic circulation in South Wilmington.*

#4125 An Ordinance to Authorize the City to Enter into a Lease Agreement with Option to Purchase for the Parcel of Land Located at 401 Garasches Lane (1st & 2nd Reading)

Synopsis: *This Ordinance is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Office of Economic Development (OED), to enter into a lease with option to purchase agreement with the Riverfront Development Corporation (RDC) regarding a property at 401 Garasches Lane. The City would eventually like to acquire this property for use as a roadway connection which is part of the Christina River Bridge and Garasches Lane road development projects. The City would move forward with the purchase of the property only after the RDC receives a DNREC certificate verifying that the property has been remediated to remove any contaminants. The lease agreement will be the lesser of \$91,500 per acre or \$300,000.*

PRADO

#4126 A Resolution Authorizing the City's Department of Real Estate and Housing to Acquire 127 N. DuPont Street from Cornerstone

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Real Estate and Housing Department (RE&H) to take ownership of a property at 127 North DuPont Street from the current owner, Cornerstone Community Development Corporation. In return for the City taking ownership of the property, Cornerstone would agree to return to the City \$21,594.71 which is part of a Neighborhood Stabilization Grant which the City awarded to Cornerstone to support a neighborhood project that was not completed. RE&H will transfer or redevelop the property to support ongoing neighborhood revitalization efforts in the immediate area.*

WILLIAMS

Rev. 1

#4080 Sub. 1 Ord. 15-038 Amend Chapter 5 and Chapter 42 of the City Code Regarding the Creation of a Pilot Program of Regulations Surrounding Mobile Food Vending Units (3rd & Final Reading)

Synopsis: This Ordinance is being presented by the Administration and City Council for City Council's review and approval. If approved, Council would be authorizing the City to establish a pilot program for mobile food vending vehicles to park on City streets in metered parking spaces that are designated by the Commissioner of Public Works. The pilot program will begin when this Ordinance becomes law and will end on June 30, 2016. Licensed, inspected and properly permitted food vending vehicles would be given an opportunity to reserve City-designated parking spaces on a daily basis from 7 a.m. to 3 p.m. and during evening hours. Each approved food vendor would pay the City a daily fee of \$22.00 which is an amount that would cover the daily average income of two metered parking spaces which would be required to accommodate a food vending vehicle. Each vendor would also pay a transactional fee to an online vendor approved by the Public Works Commissioner which would handle the daily scheduling of the locations which the mobile food vendors would reserve. Under this Ordinance, a food vending vehicle operator will be allowed to conduct business if he/she has a valid State and City business license, has passed a safety inspection by the City Fire Marshal's Office and has obtained proper insurance and State health inspection documentation, all of which has been verified by the City's Department of Licenses and Inspections. Currently, food vending trucks are only required to be inspected by the City Fire Marshal's Office prior to a special event in the City.

FREEEL

#4127 A Resolution Extending the Time for Review by the City Planning Commission of Ordinance No. 14-026 for an Additional Ninety (90) Days through and Including March 1, 2016

Synopsis: This Resolution is being presented by City Council for Council's review and approval. If approved, Council would be agreeing to extend the period by which the City Planning Commission may review the former Wilmington Finishing Company project by an additional 90 days to March 1, 2016. Ordinance 14-026, which was originally introduced June 5, 2014, proposes amendments to the City Zoning Map by rezoning the property in question from C-6 to W-4 and R-2 zoning classifications.

#4128 A Resolution Authorizing Collective Bargaining Agreement for the American Federation of State, County and Municipal Employees, A.F.L. – C.I.O. Local 320 Union Contract

Synopsis: This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Human Resources Department, to enter into a new three-year collective bargaining agreement with AFSCME Local 320 for the period of July 1, 2015 through June 30, 2018.

#4129 A Resolution Authorizing Collective Bargaining Agreement for the American Federation of State, County and Municipal Employees, A.F.L. – C.I.O. Local 1102 Union Contract

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Human*

Resources Department, to enter into a new three-year collective bargaining agreement with AFSCME Local 1102 for the period of July 1, 2015 through June 30, 2018.

#4130 An Ordinance to Authorize Contract 16004DFPS - Purchasing Card Program –
with Bank of America Merrill Lynch **(1st & 2nd Reading)**

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Department of Finance, to enter into a three-year contract (with an option for two, one-year renewals) with Bank of America Merrill Lynch to implement a Purchasing Card or P-Card Program to save the city money on the purchasing process for materials, supplies, equipment and services. As examples, the agreement would reduce the transaction cost for city purchase orders to \$23 instead of the current \$125 and eliminate a \$35 per transaction fee charged for current air and train reservations.*

GREGORY (Freel presenting on behalf of Gregory)

Rev. 1

#4098 Sub. 1 Ord. 15-040 Authorize the Establishment of the Wilmington Neighborhood
Conservancy Land Bank **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by City Council and the Administration for Council's review and approval. If approved, Council would be authorizing the establishment of a non-profit corporation to be known as the Wilmington Neighborhood Conservancy Land Bank Corporation (WNCLBC), granting this entity all of the rights and powers provided to a Land Bank by the Delaware Code. The Ordinance also establishes the composition of the Board of Directors of the WNCLBC which will serve as the management authority of the Land Bank, and establishes as well as the WNCLBC Technical Board comprised of State, City and community-based organizations which will advise the WNCLBC. A land bank is a public authority created to efficiently hold, manage and develop vacant/blighted properties and acts as a legal and financial mechanism to transform vacant, abandoned and tax-foreclosed property back to productive use. A land bank can revitalize blighted neighborhoods and direct reinvestment back into these neighborhoods to support a comprehensive or longer-term community vision.*

#4115 Ord. 15-051 Constituting Amendment No. 3 to Fiscal Year 2016 Operating
Budget, Being an Ordinance to Amend Substitute No. 1 to
Ordinance No. 15-013, the Ordinance Adopting the Annual
Operating Budget for the Fiscal Year Beginning on July 1, 2015
and Ending on June 30, 2016 (COLA & One-time Payment for
Non-Union Employees and the Cost for Local 320 Union Contract
and Cost for Local 1102 Union Contract) **(3rd & Final Reading)**

Synopsis: This Ordinance is being presented by the Administration for Council's review and approval. If approved, Council would be appropriating funds for a new three-year collective bargaining agreement with **AFSCME Local 320** for the period of July 1, 2015 through June 30, 2018. The agreement would provide Local 320 union employees with a 3% annual cost-of-living

salary increase as well as one-time payment of either \$2,000 or \$4,000 depending on when the employee was hired. The cost of the 3% COLA and other associated contractual items will be \$262,684, to be funded from the City's projected FY 2016 surplus, and the cost of the one-time payment will be \$546,852, to be funded from the City's unassigned fund balance. The annual future fiscal year cost of the 3% COLA increase and other associated contractual items is projected to be \$262,648. Council would also be appropriating funds for a new three-year collective bargaining agreement with **AFSCME Local 1102** for the period of July 1, 2015 through June 30, 2018. The agreement would provide Local 1102 union employees with a 2.25% annual cost-of-living salary increase as well as one-time payment of either \$2,000 or \$4,000 depending on when the employee was hired. The 1102 agreement also provides union members with a one-time payment (subject to certain specifications) of \$150. The cost of the 2.25% COLA will be \$242,200, to be funded from the City's projected FY 2016 surplus, and the cost of the one-time payment will be \$679,400, to be funded from the City's unassigned fund balance. The annual future fiscal year cost of the 2.25% COLA increase and other associated contractual items for Local 1102 is projected to be \$242,000. Finally, for the **City's non-union employees**, the Ordinance would appropriate funding for a 2% annual cost-of-living salary increase retroactive to July 1, 2015 as well as one-time payment of either \$2,000 or \$4,000, depending on when the employee was hired. The cost of the 2% COLA for non-union employee will be \$432,000 and would be funded from City's projected FY 2016 surplus, and the cost of the one-time payment will be \$926,000 to be funded from the City's unassigned fund balance. The annual future fiscal year cost of the 2% COLA increase for non-union employees is projected to be \$432,000.

CABRERA

#4111 Ord. 15-047 Amend Chapter 5 of the Wilmington City Code to Provide for the Issuance of a Provisional Business License (**3rd & Final Reading**)

Synopsis: This Ordinance is being presented by the City Council for Council's review and approval. If approved, Council would be providing the City Administration with a new tool to reduce nuisance properties which adversely affect public health, safety and welfare as well as property values. Specifically, the City, through the Commissioner of Licenses and Inspections, would be able to issue a provisional business license, instead of renewing an existing business license, to the owner of any business that 1) has been sent a notice of public nuisance under section 5-58 of this chapter, and 2) has been identified by the Commissioner of Licenses and Inspections as a business that should be subject to a provisional business license. A provisional business license authorizes continuation, without penalty, of the business, pending the final decision by the Commissioner of Licenses and Inspections to issue or deny a business license. The provisional business license shall be issued with reasonable conditions designed to abate public nuisance activity. If the conditions are not corrected, the City may deny the issuance of a business license. The owner of a business who receives a provisional business license or who is denied a business license may appeal the Commissioner's decision to the City's Board of

License and Inspection Review. A non-refundable \$50.00 filing fee is required at the time of filing for an appeal.

VII. Petitions and Communications

VIII. Adjournment