

**VIRTUAL REGULAR MEETING OF WILMINGTON CITY COUNCIL
FEBRUARY 18, 2021 @ 6:30 P.M. – REVISED***

AGENDA

I. Call to Order

Prayer

Pledge of Allegiance

Roll Call

II. Approval of Minutes

III. Committee Reports

IV. Acceptance of Treasurer’s Report

V. Non-Legislative Business

All Council	Recognize Black History Month
Harlee	Recognize First Black American Females Elected in Delaware Government
Johnson	Recognize Do More 24 Delaware
Oliver	Recognize Delta Sigma Theta Sorority, Inc.
Oliver	Recognize National Coalition of 100 Black Women
Oliver	Sympathy Walter F. Miller
Oliver	Sympathy Tanasia Rollins-Townsend
Oliver	Sympathy Benjamin V. Bartley
Walsh	Sympathy Joan Hare

VI. Public Comment

VII. Legislative Business

GRAY

#0019 A Resolution to Amend City Council Rule 2 to Add an Additional Period of Public Comment for Each Legislative Item

Synopsis: *This Resolution is being presented by City Council for Council’s review and approval. 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.*

DARBY

#0020 A Resolution to Amend City Council Rule 10 to Change the Intergovernmental Standing Committee to the Intergovernmental Affairs and Judiciary Standing Committee

Synopsis: *This Resolution is being presented by City Council for Council’s review and approval. This Resolution converts the Intergovernmental standing committee to the Intergovernmental Affairs and Judiciary standing committee.*

#0021 An Ordinance to Amend Chapter 5 of the City Code to Provide for Civil Fines for Owners of Rental Properties who Fail to Secure a Business License to Operate a Residential Rental Property **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the City Council for Council’s review and approval. This Ordinance approves the institution of civil penalties on property owners who fail to properly register, or re-register, a rental unit within the City of Wilmington.*

#0022 An Ordinance to Amend Chapter 5 of the City Code to Require Detailed Owner Information on Applications for a Business License to Operate a Residential Rental Property **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the City Council for Council’s review and approval. This Ordinance requires that more detailed information be provided to the City of Wilmington regarding the owners and/or operators of rental properties.*

OLIVER

#0023 An Ordinance to Authorize and Approve Two One-Year Extensions of Contract 21004WD Between the City of Wilmington and Diamond Mechanical, Inc. for HVAC and Related Systems Inspection and Maintenance **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to exercise two (2) one-year options to extend Contract 21004WD “HVAC & Related Systems Inspection & Maintenance” between the City of Wilmington and Diamond Mechanical, Inc.*

#0024 An Ordinance to Authorize and Approve Two One-Year Extensions of Contract 21005WD Between the City of Wilmington and I.D. Griffith, Inc. for Boiler Inspection and Maintenance Services **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to exercise two (2) one-year options to extend Contract 21005WD “Boiler Inspection & Maintenance Services” between the City of Wilmington and I.D. Griffith, Inc.*

#0025 An Ordinance to Authorize and Approve a One-Year Extension of Contract 21007WDPS Between the City of Wilmington and Merit Construction Engineers, Inc. for Building Raceway and Facilities Management **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the City to extend Contract 21007WDPS "Building Raceway & Facilities Management" between the City of Wilmington and Merit Construction Engineers, Inc. for one (1) year.*

#0026 An Ordinance to Enact Certain Traffic/Parking Regulations **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance approves various traffic and parking regulations in the City.*

HARLEE

#0027 An Ordinance to Name the South Wilmington Wetlands Park Project the "Southbridge Wilmington Wetlands Park" **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance officially names the South Wilmington Wetlands park project as the "Southbridge Wilmington Wetlands Park."*

CONGO (B. Fields presenting on behalf of Congo)

#0028 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

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution grants authority, previously held by the City Clerk, to the Chief of Staff of City Council to determine the agenda for City Council meetings. It is the intent of Council and the effect of this Resolution that the Chief of Staff shall include on the agenda every piece of legislation requested by the legislation's sponsor and provided at least fourteen business days prior to the Council meeting. The Chief of Staff is permitted to include on the agenda emergency legislation or other legislation upon less notice.*

#0029 A Resolution Assigning a Council Member to the Education, Youth & Family Services Committee and a Council Member to the Health, Aging & Disabilities Committee

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. 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.*

MCCOY

#0012 Ord. 21-002 Authorize and Approve Contract 21023PR Between the City of Wilmington and Food Management Services, Inc. t/a Lintons Food Service Management for the Child and Adult Care Food Program **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the execution of Contract 21023PR - Child and Adult Care Food Program - between the City of Wilmington and Food Management Services, Inc. t/a Lintons Food Service Management for the period of March 1, 2021 through December 31, 2021, at an estimated price of \$756,360.00 based upon the estimated number of meals requested and the price of \$2.40 per individual supper/dinner and \$0.90 per individual snack, with the possibility of two additional extensions of one (1) year thereafter with a potential two percent (2%) price increase with each extension.*

JOHNSON

#0030 A Resolution Approving Two Members Appointed by Mayor Michael S. Purzycki to the Wilmington Ethics Commission

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. 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.*

#0013 Ord. 21-003 Authorizing the Issuance of the City's General Obligation Bond, Series of 2021-SRF, in Order to Provide the Funds Necessary for Capital Projects of the City of Wilmington, Relating to the City's 15th and Walnut Street Combined Sewer Overflow Separation Project; Providing for the Sale of the 2021 Bond to the Delaware Water Pollution Control Revolving Fund; and Authorizing Other Necessary Action **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the issuance of a General Obligation Bond, Series of 2021-SRF, in an amount not to exceed \$1,369,500, which will be sold to the Delaware Water Pollution Control Revolving Fund in order to (i) finance capital projects of the City, specifically, the separation of stormwater runoff from combined sewer overflow (CSO) with respect to two recently built housing projects and one block of Walnut Street, routing runoff through green infrastructure best management practices to capture the initial one to two inches of precipitation through a combination of rain gardens, subsurface trenches, and bioswales, as set forth in the City's capital budget for its Fiscal Year ending*

June 30, 2016, (ii) pay administrative costs relating to such capital projects, and (iii) pay the costs of issuing the 2021 Bond.

- #0014 Ord. 21-004 Authorize and Approve an Agreement Between the City of Wilmington and The Lerro Corporation for On-Site Engineering Services for the WITN TV Station **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance authorizes the City to enter into an agreement with The Lerro Corporation for on-site engineering services for the WITN TV station for the period of March 1, 2021 through December 31, 2024 at an estimated price of one thousand two hundred fifty dollars (\$1,250.00) per month.*

- #0015 Ord. 21-005 Constituting Amendment No. 2 to the Fiscal Year 2021 Operating Budget (Being An Ordinance to Amend Substitute No. 1 to Ordinance No. 20-016) **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance is the second amendment to the Fiscal Year 2021 Operating Budget Ordinance. It increases the Public Works Department Water/Sewer Fund Materials, Supplies, and Equipment Fiscal Year 2021 account group budget appropriation by \$2,500,000 to pay for increased Class B biosolids disposal costs resulting from damage to the sludge dryer at the City's Renewable Energy Biosolids Facility.*

N. FIELD

- #0031 A Resolution to Amend City Council Rules 2 and 3 Regarding Public Comment

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. 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.

#0032 A Resolution Authorizing the City to Accept a Conditional Gift of Playground Equipment for Installation in Cool Spring Park from Cornerstone West CDC and the Red Clay Consolidated School District and a Conditional Gift of Money for Improvements in Cool Spring Park from Cornerstone West CDC

Synopsis: *This Resolution is being presented by the Administration for Council’s review and approval. This Resolution authorizes the City to accept the following gifts to assist the Department of Parks and Recreation’s efforts to improve Cool Spring Park: (1) \$130,299.85 of new playground equipment from Cornerstone West CDC; (2) \$50,000.00 of new playground equipment from the Red Clay Consolidated School District; and (3) up to \$150,000.00 in funding from Cornerstone West CDC.*

CABRERA

Rev. 1*

#0018 Sub. 1 Ord. 21-006 Amend Chapter 34 of the City Code to Revise Certain Enforcement Provisions and Provide Civil Fines for Owners of Rental Properties (**3rd & Final Reading**)

Synopsis: *This Substitute No. 1 to Ordinance No. 21-066 makes the following amendments to Chapter 34 of the City Code:*

- changes the enforcement of Chapter 34 with respect to rental properties from criminal enforcement to civil enforcement with civil fines for non-compliance;
 - o owner-occupied properties will continue to be subject to criminal enforcement proceedings;
- provides a \$500 per unit civil fine for failing to obtain a rental license, register rental units or obtain occupancy limitations;
- removes imprisonment as a potential penalty in criminal enforcement proceedings;
- provides that fines may be imposed for each week’s failure to correct violations rather than a daily fine;
- changes the general time period for compliance from 45 days to 30 days;
- revises the effective date for notices;
- requires notices to be mailed to the owner, operator or occupant’s property address and the tax address for the property, and to the property manager designated on the rental dwelling business license;
- requires notices to contain information on how to contact the inspector for additional information or to schedule a meeting;
- extends the time period in which to appeal a violation notice from 10 days to 20 calendar days;

- provides that the appeal fee shall be refunded if the appeal is successful; and
- deletes duplicate or inconsistent penalty provisions throughout the chapter.

WALSH

#0033 An Ordinance to Authorize and Approve Three One-Year Extensions of Contract 210001PDPS Between the City of Wilmington and Asset Management Alliance for Professional Service Building Management at the Public Safety Building
(1st & 2nd Reading)

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the City to exercise three (3) one-year options to extend Contract 210001PDPS "Professional Service Building Management at the Public Safety Building" between the City of Wilmington and Asset Management Alliance.*

VIII. Petitions and Communications**IX. Adjournment**

***Revision Note:** *The agenda was revised to add Sub.1 to Ord. 21-006 (Agenda No. 0018) after it was discussed in Committee on February 11 in occurrence with City Council Rule No. 2.*

PUBLIC COMMENT

The Meeting will be open to the public starting at 6pm, so members of the public can sign up to speak. To sign up for Public Comment, members of the public must go to the following website <https://tinyurl.com/wccpubliccomment021821> to fill out the information requested. Public Comment will take place after non-legislative business. The President will recognize speakers in the order listed on the website. When a member of the public is called on, their mic will be unmuted for comment. Please keep comments to 3 minutes.

Note: In following Governor Carney's Proclamation #17-3292, due to the outbreak of the COVID-19, public meetings are currently being conducted virtually to maintain social distancing and to keep all constituents safe. Members of the public are invited to join the City Council meeting by accessing the meeting as follows:

<https://zoom.us/j/93762329895> or visit the WITN22 website www.witn22.org or WITN YouTube channel at <https://www.youtube.com/user/WITN22Wilmington/> or listen in only by calling one of the following phone numbers (929) 205-6099 or (301) 715-8592. You will be asked for the **Webinar ID**. Please enter **937 6232 9895** and then #.

Posted on City Council website www.wilmingtoncitycouncil.com (Revised - 2/12/21)