Wilmington, Delaware
Louis L. Redding
City/County Building
December 18, 2014

Council met in regular session on the above date at 6:30 p.m., President Theopalis K. Gregory, Sr. presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado**, Dorsey Walker, Williams, Freel, Cabrera*, Wright, and Council President Gregory. Total, eleven. Absent, Council Members Michael Brown and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of December 4, 2014, upon a motion of Mr. Freel, seconded by Mr. Williams/Ms. Shabazz, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

Public Safety Committee Member	Present	Absent with Leave	Absent w/out Leave
Michael A. Brown, Sr.		X	
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel			X
Loretta Walsh	X		
Robert A. Williams	X		

Date: December 8, 2014

President and Members of Council of
The City of Wilmington

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 4:30 p.m., Councilman Ernest "Trippi" Congo, presiding. The following items were discussed:

- WPD District Assignments
- Update on Homicide Unit
- Update on Fire Academy
- Update on Shot Spotter

Respectfully submitted, Members of
Public Safety Committee
/s/Ernest Congo, II*
/s/Loretta Walsh
/s/Robert A. Williams

*Note: Councilman Congo chairing on behalf of Councilman Michael Brown.

Upon a motion of Mr. Freel, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

Education, Youth & Families Committee Member	Present	Absent with Leave	Absent w/out Leave
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.		X	
Maria D. Cabrera		X	
Ernest "Trippi" Congo, II	X		
Hanifa G.N. Shabazz		X	
Sherry Dorsey Walker	X		

President and Members of Council of
The City of Wilmington

December 10, 2014

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 4:30 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- "Great Schools Delaware" presented by Ashley Dalzell-Gray
- A Resolution to discuss the Student Count Funding Model

Respectfully submitted, Members of
Education, Youth & Families Committee
/s/Nnamdi O. Chukwuocha, Chair
/s/Ernest Congo, II
/s/Sherry Dorsey Walker

Upon a motion of Mr. Chukwuocha, seconded by Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

*Note: At this time, Ms. Cabrera was marked present.

TREASURER'S REPORT

The following Treasurer's Report dated December 18, 2014 was read into the record by the City Clerk and upon a motion of Mr. Freel, seconded by Mr. Williams and Ms. Shabazz, the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON DECEMBER 18, 2014

102	Community Development Block Grant	M & T Bank	$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	$ 1,963.81
105	Police Pension Account	M & T Bank	$ 5,479.39
106	Fire Pension Account	M & T Bank	$ 5,313.97
107	Evidence/Found Currency Account	M & T Bank	$ 152,516.92
108	Rent Withholding Escrow	M & T Bank	$ 4,137.97
110	Capital Projects Account	M & T Bank	$ 1.00
113	Non-Uniform Pension	M & T Bank	$ 1,111.82
114	Central Deposit	M & T Bank	$ 11,842.11
117	Cement Workers	Wilmington Savings Fund	$ 33,412.62
118	Worker's Comp. 3rd Party Account	M & T Bank	$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	$ 9,975.94
130	Payroll	M & T Bank	$ 97,449.01
131	Pension Payroll Account	M & T Bank	$ 13,857.88
139	Pension Healthcare Account	M & T Bank	$ 3,595.24
	Total Cash on Hand		**$ 353,661.91**

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	12/18/14	0.01%	$ 1.78	$ 6,495,533.00
116	General	TD	CD	12/23/14	0.25%	$ 1,602.74	$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	12/29/14	0.30%	$ 1,521.78	$ 5,290,000.00
106	Fire Pension	WSFS	CD	12/29/14	0.30%	$ 43.15	$ 150,000.00
105	Police Pension	WSFS	CD	12/29/14	0.30%	$ 74.79	$ 260,000.00
116	General	TD	CD	01/05/15	0.25%	$ 1,181.51	$ 1,500,000.00
116	General	WSFS	CD	01/09/15	0.30%	$ 1,873.97	$ 2,000,000.00
110	Capital[2]	TD	CD	01/15/15	0.25%	$ 1,287.02	$ 1,540,195.00
116	General	WSFS	CD	01/23/15	0.30%	$ 2,071.23	$ 2,000,000.00
116	General	TD	CD	01/30/15	0.25%	$ 1,181.51	$ 1,500,000.00
116	General	WSFS	CD	02/06/15	0.30%	$ 1,841.10	$ 2,000,000.00
116	General	TD	CD	02/20/15	0.25%	$ 3,835.62	$ 5,000,000.00
116	General[1]	TD	CD	03/02/15	0.25%	$ 10,482.23	$ 15,003,965.00
116	General	TD	CD	03/06/15	0.25%	$ 1,260.28	$ 2,000,000.00
110	Capital	WSFS	CD	03/16/15	0.30%	$ 23,134.84	$ 24,476,000.00
116	General	TD	CD	03/20/15	0.25%	$ 1,342.47	$ 2,000,000.00
116	General	WSFS	CD	03/31/15	0.30%	$ 2,136.99	$ 2,500,000.00
116	General	TD	CD	04/01/15	0.25%	$ 1,654.11	$ 2,300,000.00
514	Risk Management	WSFS	CD	07/10/15	0.35%	$ 14,938.32	$ 4,279,819.74
515	Worker's Comp.	WSFS	CD	07/10/15	0.35%	$ 14,938.32	$ 4,279,819.74
104	Escrow Pension	Affinity Wealth					$ 1,444,475.00
104	Escrow Pension	Vanguard					$ 36,549,858.00
104	Escrow Pension	Black Rock					$ 27,266,157.00
104	Escrow Pension	Edgar Lomax					$ 22,650,635.00
104	Escrow Pension	Wilmington Trust					$ 46,798,250.00
104	Escrow Pension	Manning & Napier					$ 21,279,719.00
104	Escrow Pension	Earnest Partners					$ 17,880,997.00
104	Escrow Pension	GMO					$ 12,005,336.00
104	Escrow Pension	MFS Management					$ 21,153,690.00
139	Medical Escrow	Black Rock-OPEB					$ 13,012,371.00
116	Deferred Comp.	MassMutual					$ 39,336,275.00
	Total Investments						**$ 345,953,095.48**
	Total Cash on Hand						**$ 353,661.91**
	Grand Total						**$ 346,306,757.39**

[1] **Budget Reserve**
[2] **SEU**

/s/Henry W. Supinski
City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Mr. Freel, seconded by Ms. Shabazz/Mr. Williams, the following non-legislative resolutions were accepted into the record and motion prevailed:

D. Brown	Recognize Allen "Duffy" Samuels
D. Brown	Salute BrightFields, Inc.
D. Brown	Congratulate Miss Delaware USA Renee Bull
M. Brown	Retirement Delores Nelson
M. Brown	Sympathy Stanford Avant
M. Brown	Sympathy Gene Garnell
Cabrera	Sympathy Dr. Katherine L. Esterly
Congo	Recognize Jack & Jill of America, Incorporated
Gregory	Sympathy Jerry R. Steed
Gregory	Retirement Blondeborah Jackson Winn
Gregory	Commend Wilmington Titans Youth Football League
Dorsey Walker	Recognize Moorish Science Temple of America #64
Williams	Retirement Battalion Chief Raymond Brock

**Note: Mr. Prado was marked present during the time of the aforementioned presentations.

LEGISLATIVE BUSINESS

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Yes Mr. President, I have a Resolution to present.

Mr. Chukwuocha presented Resolution No. 14-060 (Agenda #4006) as follows:

WHEREAS, the current unit count mechanism for the purpose of funding local education authorities has important consequences for retaining students in school throughout the academic school year and adequately compensating schools/districts for the students in their schools; and

WHEREAS, the current single-count date creates hidden inequities in many of Wilmington's schools, which have a high transient population, which expands their number of students after the September 30th student-count date; and

WHEREAS, the current single-count date does not account for students who enroll or return to the school/district after the count date, therefore schools/districts do not receive the necessary funding to properly educate them; hence the issue of schools receiving funds for students that may drop from their student attendance rolls shortly after the count date; and

WHEREAS, the Education, Youth and Families Committee encourages our State policymakers to establish a new unit count funding standard such as multiple period count dates that reflects a student needs funding model; and

WHEREAS, a more flexible student needs funding model would allow schools to operate more effectively and ultimately give the schools more flexibility in providing needed resources throughout the year; and

WHEREAS, Delaware's September 30th unit count date enables the State to meet the October 1st deadline for Federal Title 1 reporting. This date should continue as early funding is crucial, however adding a multiple period count would ensure that our schools/districts are doing all that they can to keep students in attendance throughout the year while adequately funding the students they are serving; and

WHEREAS, instituting a multiple period count date would incentivize schools and districts to work to improve attendance to avoid funding reductions; and

WHEREAS, without a multiple period count date, the schools have no incentive to actively work to keep the students in school, in addition to schools/districts having no financial incentive to enroll out-of-school youth who try to reenroll after the count date. These barriers to enrollment contribute to the high dropout rate within the City of Wilmington.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON respectfully urges the State of Delaware General Assembly to consider adopting a new compliance provision to add a multiple period count date funding standard for our State that will address the needs of our students, schools, districts and communities.

Mr. Chukwuocha: Yes Mr. President, this is a Resolution that tries to address a few issues to point out some of hidden inequalities of one of the funding - bigger funding issues that impact our schools here in Wilmington and as our Governor has appointed there's been a lot of tension lately on our schools with the priority schools and also the Governor's forming of a Wilmington Education Task Force that is - - will present recommendations to the Governor, also to the General Assembly what issues and recommendations to improve the education in Wilmington. We felt that this would be a good recommendation to also present to the General Assembly. I really feel that it addresses many of those hidden inequalities that come with the single-count system as we know. Right now our State has the September 30th count day, which coincides with the reporting for October 1 deadline for Title 1. But many of our schools such as the school very close to us Bancroft have a very high transient population. Many homeless students attend that school so they come to that school after the September 30th date and our schools currently do not receive any funding for those students so they must use their funding allotted on that September 30th date to meet the needs of these additional students, which is almost utterly impossible and as we've seen that many of these students in these schools aren't doing well because the resources just aren't there. And another one of the, the I guess advantages - - advantages to having more than one count date would be many of the schools, many of the schools in Delaware as we in Wilmington are dealing with a very high drop-out rate, if we had a second-count date

where it wasn't just one date for the districts and the schools to count and to submit their date that if there were multi-dates than they would have some accountability in order to keep those children in schools. So, we think that it would also have a great impact on our students being staying in school and help us to decrease the drop-out rate. And lastly, one of the other things is right now the current districts and schools have no incentives to, to reenroll students who aren't currently enrolled because they won't receive any monies for them after September 30th. So, having a different count date would enable them to go after the funds if those funds were available. So, we – I'm encouraging and humbly ask my colleagues to support this.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Thank you Mr. President and I think this is a very good piece of Resolution. I think it will address the funding issues that one of - - a portion of it that we're dealing with here in Wilmington's schools districts and I would humbly ask that I be added as a co-sponsor.

President Gregory: So noted. Mr. Congo.

Mr. Congo: Yes, thank you Mr. President. Just a question, how do these – how will this Resolution get to the General Assembly? Like, do we mail it down there? What's that process?

President Gregory: We send it by correspondence.

Mr. Congo: Okay. Do they ever acknowledge receiving it?

Ms. Shabazz: Yes.

Mr. Congo: They do.

President Gregory: Some they do, some they don't. It varies.

Mr. Congo: Just a suggestion, I think this is important enough that we should try to just schedule something where maybe we deliver this ourselves just to put that much more, hopefully, you know, put that much more of priority on it. Just a suggestion to the chairperson. Maybe try to organize something where we can actually deliver it ourselves. Thank you.

Mr. Chukwuocha: Well noted and I will also would say Mr. President that as we have our Education Think Tank, one of the suggestions that's come forward through the Governor's Task Force is for us to invite some of legislators and key folks from the Education Committee to attend those sessions as well.

Mr. Congo: Okay, thank you.

President Gregory: What he said is that we do have this informal Think Tank where we meet on the 9th floor, I guess every other Friday and Nnamdi, Mr. Chukwuocha is a part of that. It doesn't have name, it's just an informal Think Tank, someone from the Mayor's Office, Mr. Street and other folks and this concept came out of it but not directly but what you said would probably be part of a strategy....

Mr. Congo: Okay, thank you.

President Gregory: ...we're engaging in. Mr. Williams.

Mr. Williams: Thank you Mr. President. I humbly ask to be a co-sponsor on this and having had the opportunity to sit through the hearings that Councilman Chukwuocha has held and you can hear the passion in his voice and how important this matter and I think it sends a very strong message to our legislators.

President Gregory: So noted. Mr. Wright wants to be a right also. He's a sponsor, anybody else? The Clerk will call - - Mr. Prado also, so noted. The Clerk will call the roll.

Upon a motion of Mr. Chukwuocha, seconded by Ms. Shabazz, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, Cabrera, Wright, and Council President Gregory. Total, eleven. Nay, none. Absent, Council Members Michael Brown and Walsh. Total, two.

President Gregory: Declare it adopted. Mr. Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Thank you. Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President, nothing tonight.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Yes, Mr. President. I move Council dissolve into the Committee of the Whole for the purpose of holding a public hearing on Substitute No. 1 to Ordinance No. 14-053.

Mr. Freel: Second.

Upon a motion of Ms. Shabazz, seconded by Mr. Freel, Council dissolved into the Committee of the Whole for the purpose of holding a public hearing on Substitute No. 1 to Ordinance No. 14-053. Motion prevailed.

PUBLIC HEARING
AMEND CHAPTER 48 OF THE CITY CODE TO REPEAL ARTICLE IX, SECTIONS 48-431 THROUGH 48-436; TO ADOPT A NEW ARTICLE XII, SECTIONS 48-562 THROUGH 48-597; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT ADMINISTRATIVE PROCEDURES, AND TO ADOPT CRITERIA FOR DEVELOPMENT IN FLOOD HAZARDS AREAS, AND FOR OTHER PURPOSES; TO PROVIDE FOR APPLICABILITY; REPEALER; AND AN EFFECTIVE DATE (SUBSTITUTE NO. 1 TO ORDINANCE NO. 14-053)

The City Clerk read the Affidavit of Publication. Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Affidavit of Publication was made a part of the record and is on file in the City Clerk's Office. Motion prevailed.

The City Clerk read the Planning Commission Report. Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Planning Commission Report was made a part of the record and is on file in the City Clerk's Office and Planning Department. Motion prevailed.

Ms. Shabazz: Mr. President, I move Council return to the regular order…

President Gregory: No, no….

Ms. Shabazz: Excuse me.

President Gregory: …we need the representative from the Planning Department to come up…

Ms. Shabazz: Oh, you're right.

President Gregory: …to speak to the matter.

Ms. Shabazz: Yes sir, sorry.

Department of Planning Representative: Good evening, I'm Gwinn Kaminsky with the Planning Department. The National Flood Insurance Program, which is managed by the Federal Emergency Management Agency or FEMA makes Federal flood insurance available to communities provided that in return local floodplain regulations are adopted and enforced for the purpose of reducing future flood risks to construction in special flood hazard areas. The City has participated in this Program since 1977. Early this year Wilmington was notified that FEMA was making modifications to the base flood elevations, flood hazard areas, zoned designations and regulatory floodways for Wilmington, which become effective on February 4th of 2015. Prior to February the City must enact legislation to adopt updated flood insurance rate maps, flood, flood insurance

study reports and related floodplain management regulations. Communities that failed to enact the necessary regulations are suspended from the flood insurance program. Our current floodplain regulations are located in the Zoning Code, Ordinance 14-053 would repeal these existing floodplain regulations and add new provisions, which are consistent with FEMA's updated requirements and those include floodplain management regulations, and criteria for development in floodplain and floodprone areas, administrative procedures for implementation and enforcement of the regulations, adoption of the flood hazard maps and the designation of a floodplain administrator. There are some significant regulatory changes, which result from the legislation.

First, the required elevation for construction in a flood zone is changing. Currently, construction is required to be elevated twelve (12) inches above the flood - - the base flood elevation in any flood zone. This elevation is increasing to eighteen (18) inches, which for insurance purposes allows a 47% reduction in premiums. Second, FEMA is requiring that a floodplain administrator be designated to serve as the point person for managing the floodplain regulations. Third, the variance procedures are changing. Currently, any development proposed in the floodplain must be reviewed and approved by the Zoning Board of Adjustment and under the new FEMA regulations only those development proposals, which require a variance from the floodplain regulations are subject to ZBA review. Finally, language is included, which allows for automatic Code updates when the FEMA approved flood insurance rate maps and flood impact study are modified in the future.

The Planning Commission held its public hearing on this matter on Tuesday, December 16th and one thing that was pointed out was that the Ordinance, the original Ordinance, did not address Section 48-70(c), which currently identifies variance procedures for development in a floodplain. If left intact the section would be in conflict with the new regulations, so the Commission recommended that the Ordinance be amended to address the over site by repealing this section and this is what is being addressed in Substitute No. 1 to this Ordinance. The Commission also recommended approval of the legislation as amended. To summarize, Wilmington is required to adopt and implement FEMA approved updated floodplain management measures in order to address development in floodplains and floodprone areas and in order to meet the Federal requirements for continued participation in the National Flood Insurance Program. Thank you.

President Gregory: Thank you. Any questions from Council? Anyone from the audience wants to speak "for" this proposal? Anyone wants to speak "against" it. Thank you very much. Committee Report.

Mrs. Seijo: Return to regular order.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, Council returned to Regular Order of Business. Motion prevailed.

REGULAR ORDER OF BUSINESS

President Gregory: Committee Report.

The City Clerk read the following committee report:

Joint Meeting of Public Works & Transportation and Housing, Licenses & Inspections Committees	Present	Absent with Leave	Absent w/out Leave
Hanifa Shabazz	X		
Michael A. Brown Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado	X		
Robert A. Williams	X		
Darius J. Brown			X
Maria D. Cabrera	X		
Sherry Dorsey Walker			X

President and Members of Council of
The City of Wilmington

December 17, 2014

Ladies and Gentlemen:

We, your **JOINT** Public Works & Transportation and Housing, Licenses & Inspections Committees, to who was referred **Substitute No. 1 to Ordinance No. 14-053** (Rev. 2) entitled:

AN ORDINANCE BY THE WILMINGTON CITY COUNCIL AMENDING THE WILMINGTON CITY CODE TO REPEAL ARTICLE IX, SECTIONS 48-431 THROUGH 48-436 OF CHAPTER 48; TO ADOPT A NEW ARTICLE XII, SECTIONS 48-562 THROUGH 48-597; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT ADMINISTRATIVE PROCEDURES, AND TO ADOPT CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO PROVIDE FOR APPLICABILITY; REPEALER; AND AN EFFECTIVE DATE

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

Respectfully submitted, Members of
Public Works & Transportation Committee and
/s/Hanifa Shabazz, Chair
/s/Nnamdi O. Chukwuocha
/s/Samuel Prado
/s/Robert A. Williams
/s/Theopalis K. Gregory, Sr., Ex Officio

Respectfully submitted, Members of
Housing, Licenses & Inspections
/s/Samuel Prado, Chair
/s/Maria D. Cabrera
/s/Hanifa Shabazz
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

President Gregory: Any findings?

Mrs. Seijo: Yes sir.

MEMORANDUM

TO: The Honorable Theopalis K. Gregory, President of City Council
Members of City Council

FROM: Sanjay Bhatnagar, Esq., Assistant City Solicitor

DATE: December 18, 2014

RE: City Council Findings Supporting the Enactment of Ordinance No. 14-053, Amending Chapter 48 of the Wilmington City Code to provide floodplain management regulations for development in floodplains and flood-prone area and related measures consistent with FEMA requirements

Enclosed please find a copy of the Findings prepared in connection with Council's scheduled Public Hearing on December 18, 2014, regarding the above referenced ordinance. The Findings supplement the record of the Planning Commission and its report, as well as the record of the Council's Public Hearing, and the Law Department advises their inclusion in the record as a means of complying with Delaware Court decisions that involve zoning ordinances of County governments, but the principles of which also apply to the City.

In this instance, the Findings support the provisions of the ordinance. The Findings and the Ordinance reflect the recommendations approved by the City Planning Commission at its regular meeting following its Public Hearing on December 16, 2014. At that meeting, the Planning Commission approved its Resolution 11-14, which recommended that the Zoning Code be amended to provide floodplain management regulations for development in floodplains and flood prone areas, together with applicable administrative procedures, and to adopt flood hazard maps in order to meet requirements of the Federal Emergency Management Agency (FEMA) for the National Flood Insurance Program.

The enclosed Findings support the Commission recommendations.

Should you have any questions regarding this matter, please do not hesitate to contact me.

cc: Cleon Cauley, Chief of Staff
Romain Alexander, City Council Chief of Staff
Maribel Seijo, City Clerk
Leonard Sophrin, Planning Director
Gwinneth Kaminsky, Planning Manager
James G. DiPinto, Zoning Manager
Michael P. Migliore, City Solicitor

FINDINGS SUPPORTING ENACTMENT OF ORDINANCE 14-053

CITY COUNCIL'S FINDINGS SUPPORTING ENACTMENT OF ORDINANCE 14-053, which provides for Zoning Code amendments to provide floodplain management regulations for development in floodplains and flood prone areas, together with applicable administrative procedures, and to adopt flood hazard maps in order to meet FEMA requirements for the National Flood Insurance Program, sponsored by City Council Member Hanifa Shabazz, December 18, 2014.

The Council makes the following Findings regarding the Zoning Code amendments in support of enactment of Ordinance 14-053, as set forth in the sections of Findings attached hereto and made a part hereof.

1. The Federal Emergency Management Agency (FEMA) recently completed an updated Flood Insurance Study and Flood Insurance Rate Map for the City of Wilmington, which will become effective on February 4, 2015. These updates involved the proposed addition of, and/or modifications to, base flood elevations, base flood depths, Special Flood Hazard Areas, zone designations, and regulatory floodways.

2. The City must adopt and implement FEMA's floodplain management measures in order to continue its participation in the National Flood Insurance Program created by Congress through the National Flood Insurance Act of 1968. This insurance is designed to provide an alternative to disaster assistance to help reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

3. Ordinance 14-053 is based upon a model ordinance provided by FEMA and is written to meet the requirements for participation in the National Flood Insurance Program.

4. Section 1 of the Ordinance proposes to repeal in its entirety the existing floodplain regulations currently found in Division 3 of Article IX, Sections 48-431 to 48-436 of Chapter 48, and in its place proposes to add Article XII (Floodplains and Floodprone Areas).

5. Article XII addresses: a) floodplain management regulations and criteria for development in the floodplain and flood-prone areas; b) applicable administrative procedures for implementation and enforcement of the regulations; c) adoption of flood hazard maps (Flood Insurance Rate Maps); and d) designation of a floodplain administrator.

6. The remaining sections of the Ordinance (Section 2 through 5) represent standard legal clauses that are included in City legislation.

7. In order to promote the public health, safety, and general welfare of the citizenry, and prevent the loss of life and property from periodic inundation from flooding, it is imperative that the Ordinance be adopted so that the City can continue to participate in the National Flood Insurance Program.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Findings were made a part of the record. Motion prevailed.

Ms. Shabazz: Mr. President, I have an Ordinance to present and call for third and final reading.

Ms. Shabazz presented and called for the third and final reading Ordinance No. 14-053 (Rev. 1, Agenda #3999) entitled:

AN ORDINANCE BY THE WILMINGTON CITY COUNCIL AMENDING THE WILMINGTON CITY CODE TO REPEAL ARTICLE IX, SECTIONS 48-431 THROUGH 48-436 OF CHAPTER 48; TO ADOPT A NEW ARTICLE XII, SECTIONS 48-562 THROUGH 48-597; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT ADMINISTRATIVE PROCEDURES, AND TO ADOPT CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO PROVIDE FOR APPLICABILITY; REPEALER; AND AN EFFECTIVE DATE

Mr. President, I have a **Substitute (Rev. 2)** to present in lieu of that ordinance:

AN ORDINANCE BY THE WILMINGTON CITY COUNCIL AMENDING THE WILMINGTON CITY CODE TO REPEAL ARTICLE IX, SECTIONS 48-431 THROUGH 48-436 OF CHAPTER 48; TO ADOPT A NEW ARTICLE XII, SECTIONS 48-562 THROUGH 48-597; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT ADMINISTRATIVE PROCEDURES, AND TO ADOPT CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO PROVIDE FOR APPLICABILITY; REPEALER; AND AN EFFECTIVE DATE

Ms. Shabazz: Yes Mr. President, this Ordinance in its Substitute version was vented strongly within the Committee meeting and there are many flood areas in my district as well as in the 3rd District. So, this was of great interest to me and understanding its effect on new construction and how it also effect current – current residents and there (inaudible) needed – in some instances (inaudible) financial institution their needed flood insurance. I was glad to see that Wilmington was very much on top of this, there were - - the Administration on top of it, that we already had a person who was always acting as administrator and that the procedures and enforcement regulations were put into effect. The South Wilmington Neighborhood had an open house where we invited various organizations such as FEMA, DNREC and others to come and talk about the flooding insurance so residents not just in South Wilmington but across the City would know how flood insurance affects them and what their proper coverage should be. Some of them were concerned that some people who were – if flood insurance was - - if premiums were increased but we were able to explain to them and calm them to understand that things were in proper order and what they needed to do so they could meet the qualifications, be properly covered under insurance in case of flood because they were in a flood area and how to flood proof their homes.

President Gregory: The Clerk will call the roll.

Mrs. Seijo: Mr. Chukwuocha.

Mr. Chukwuocha: Yes.

Mrs. Seijo: Mr. Congo.

Mr. Congo: Yes, do we have…

Mr. Wright: You got say based on the findings.

Mr. Congo: Yes but you have to say why?

Mrs. Seijo: Yes, I'm sorry. You do have to state your reason.

Ms. Shabazz: The findings.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned **Substitute (Rev. 2)** Ordinance was read for the third and final time and was adopted by the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha: yes, because of the findings, thank you; Congo: yes, based on the findings; Darius Brown: yes, based on the findings; Shabazz: yes, based on the findings; Prado: yes, based on the findings; Dorsey Walker: excuse me, yes, based on the findings; Williams: yes, based on the findings of the hearing; Freel: yes, based on the findings; Cabrera: yes, based on the findings; and

Wright: yes, based on the findings; and Council President Gregory: yes, based on the findings. Total, eleven. Nays, none. Absent, Council Members Michael Brown and Walsh. Total, two.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 14-055 (Agenda #4007) entitled:

AN ORDINANCE TO ENACT CERTAIN PARKING REGULATIONS

This Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Ordinance was received, recorded and referred to Public Works & Transportation Committee. Motion prevailed.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 14-056 (Agenda #4008) entitled:

AN ORDINANCE TO ENACT CERTAIN TRAFFIC PARKING REGULATIONS

This Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Ordinance was received, recorded and referred to Public Works & Transportation Committee. Motion prevailed.

Ms. Shabazz: That's all Mr. President.

President Gregory: Mr. Prado.

Mr. Prado: Nothing tonight Mr. President, thank you.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: No legislative business tonight Mr. President, thank you.

President Gregory: Thank you Mr. President, no legislative business this evening.

President Gregory: Mr. Freel.

Mr. Freel: Mr. President, I have nothing tonight. Thank you.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Cabrera presented and called for the first and second reading Ordinance No. 14-057 (Agenda #4009) entitled:

AN ORDINANCE TO AMEND CHAPTER 36 OF THE
CITY CODE REGARDING DISORDERLY PREMISES

This Ordinance was given two separate readings by title only and upon a motion of Ms. Cabrera, seconded by Mr. Freel, the aforementioned Ordinance was received, recorded and referred to Public Safety and Housing, Licenses & Inspections Committees. Motion prevailed.

President Gregory: That's Public Safety.

Ms. Cabrera: I said Public Safety.

President Gregory: Well, you don't need a joint committee, so Public Safety.

Ms. Cabrera: Oh.

President Gregory: Yeah.

Mr. Freel: It should be L&I and Housing.

Ms. Shabazz: They said Public Safety.

Mr. Wright: Somebody already seconded it.

President Gregory: Right. It's a Public Safety Committee.

Mrs. Seijo: Okay.

President Gregory: Can I get…

Ms. Shabazz: Second.

President Gregory: It's been moved properly moved and seconded that be known as the first and second reading of Ordinance and referred to the Public Safety Committee. Mr. Wright.

Mr. Wright: No legislation tonight. Thank you.

PETITIONS AND COMMUNICATIONS

Council Members announced committee meetings/civic association meetings and community events throughout their districts. Council Members spoke on the following matters: students/parents were informed of the January 14th deadline for the School Choice and those who are evaluating and in the process of selecting a school were encouraged to log into the website greatschoolsdelaware.org as well as the staff members were congratulated for their event this evening (Santa's Workshop) for the children; Wilmington Police Department, County Police and State Police were congratulated in their joint involvement in taking into custody some of the individuals who had been burglarizing homes; students were reminded of scholarship funds still available for college and can call City Council at 576-2140; everyone from the North Brandywine Village Civic group were thanked for the caroling that took place last Monday; a request was made to the Chair of Education, Youth & Families Committee that someone from Parks & Recreation Department give an update on the renovation for "One Love Park" at their next meeting; residents of the 3rd District were thanked for coming out this past Monday to their annual meeting and for those that weren't able to attend, the Annual Report for 2014 for the 3rd District is available online on Council's website or can contact Council Office for a hard copy of the Report; everyone was encourage to go down to the Justison Landing and enjoy the ice skating rink and also enjoy the new Starbucks right across the street; the Wilmington Community Police Department were thanked for going to various neighborhoods today with Santa Claus and Mrs. Santa Claus along with the Read Delaware for giving out books and gift certificates; Westside Coalition was recognized for a successful Christmas party; an article about ACLU wanting to go after charter schools and concerns was expressed of them being preoccupied with demographics of schools and not with what the schools are teaching – the quality education for all children and the need of high schools in the city (i.e. P.S. DuPont and Wilmington High Schools); U.S. President Obama was saluted for reopening diplomatic ties with Cuba and to establish a relationship again; the Wilmington Fire Department was thanked for the coat drive that took place throughout the City of Wilmington; the meeting that took place with the Lancaster Corridor, the County, State and the City to discuss common problems that affect residents on either side of the city's jurisdiction; Westside Grows meeting that took place with Police and Little Italy's concerned residents to discuss problem properties, loitering, drugs and increased violence in that neighborhood

and the members of Little Italy were encouraged to reach out via email or via City Council to be included into the conversation and be kept abreast of how they're progressing with those scenarios; the Wilmington One Corner at a Time (Tammy & Gina) were thanked for the "Cakes for Cops" event that took place last Friday; those that conducted food and toy drives throughout the City were thanked for putting others first and for sharing with those families in need; everyone was reminded to look in on neighbors during the holidays and to also take fire safety precautions during this time of year; and including but not limited to Council Members thanked Council staff for all the work they do and their support throughout the year. In addition, Council Members wished everyone a happy and safe holiday.

It was duly noted by President Gregory that the Ordinance that Ms. Cabrera presented this evening will be addressed in a joint committee meeting of Public Safety and Housing, Licenses & Inspections.

ADJOURNMENT

Upon a motion of Mr. Wright/Ms. Shabazz, seconded by Ms. Cabrera, Council adjourned at 7:48 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk