

*Wilmington City Council
Wilmington, Delaware
September 5, 2024*

City Council met in regular session with remote participation on the above date at 6:35 p.m., President Ernest M. Congo, II presiding.

The opening prayer was done by Akira Grenardo, Deputy City Clerk.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members White, Darby (virtual), Harlee (virtual), B. Fields, McCoy, Johnson (virtual), Mills (virtual) and Bracy (virtual), and Council President Congo. Total, nine. Absent with leave, Council Members Oliver, N. Field, Cabrera and Spadola. Total, four.

MINUTES

After reading a portion of the minutes of August 29, 2024, upon a motion of Council Member McCoy, seconded by Council Member B. Fields, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
Latisha Bracy	y		
Nathan Field		y	
Zanthia Oliver		y	
James Spadola	y		
Ernest "Trippi" Congo, Ex-Officio	y		

President and Members of Council of
The City of Wilmington

September 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-039** entitled:

APPROVING A FIVE-YEAR EXTENSION OF THE
COMCAST FRANCHISE AGREEMENT

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

Respectfully submitted, Members of
Finance & Economic Development Committee

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

The City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
Latisha Bracy	y		
Nathan Field		y	
Zanthia Oliver		y	
James Spadola	y		
Ernest "Trippi" Congo, Ex-Officio	y		

President and Members of Council of
The City of Wilmington

September 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-045** entitled:

Authorizing the Issuance of the City’s General Obligation Bond Water Distribution & Transmission Improvements – Lead Removal Phase II Project), Series C of 2024-DWSRF, In Order to Provide the Funds Necessary for the Continuing Replacement of Watermains in City’s Distribution System; Providing for the Sale of the 2024C Bond to the Delaware Drinking Water State Revolving Fund; and Authorizing Other Necessary Action

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Johnson, seconded by Council Members B. Fields and Harlee, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
Latisha Bracy	y		
Nathan Field		y	
Zanthia Oliver		y	
James Spadola	y		
Ernest "Trippi" Congo, Ex-Officio	y		

President and Members of Council of
The City of Wilmington

September 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-046** entitled:

Authorizing the Issuance of the City’s General Obligation Bond (11th Street Sewage Pump Station Replacement/Upgrades – Screening Project), Series B of 2024-WPCRF, In Order to Provide the Funds Necessary for the Replacement of a Screen at the City’s 11th Street Sewage Pump Station; Providing for the Sale of the 2024B Bond to the Delaware Water Pollution Control Revolving Fund; and Authorizing Other Necessary Action

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

Respectfully submitted, Members of
Finance & Economic Development Committee

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

TREASURER'S REPORT

The following Treasurer's Report for September 5, 2024 was read into the record by City Clerk and upon a motion of Council Member McCoy, seconded by Council Member B. Fields, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 7.

[the remainder of this page intentionally left blank]

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report September 05, 2024

Cash - Ledger Balance (as of 09/04/2024):

General	M & T Bank	\$ 14,646,694.19
Payroll	M & T Bank	\$ 1,799,171.32
Law Department Court Costs	M & T Bank	\$ 4,157.07
Total Petty Cash	M & T Bank	\$ 5,778.65
Police - Evidence Found (Currency)	M & T Bank	\$ 1,227,393.99
Police & Fire Remembrance	M & T Bank	\$ 11,744.49
Police Department Discretionary	M & T Bank	\$ 26,106.73
Rent Withholding Escrow	M & T Bank	\$ 14,037.87
Grant-in-Aid	M & T Bank	\$ 112,760.87
Community Development Block Grant	M & T Bank	\$ 1.00
Capital Projects	M & T Bank	\$ 1.00
Total Cash on Hand		\$ 17,847,847.18

Cash Equivalents & Investments (as of 09/04/2024):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.99%	\$ 5,902.78	\$ 50,000,000.00
General	TD	High Yield Checking	4	4.59%	\$ 1,584.80	\$ 3,107,450.25
General	TD	High Yield Checking	4	4.59%	\$ 2,311.23	\$ 4,531,826.60
General	TD	High Yield Checking	4	4.59%	\$ 34.54	\$ 67,719.74
SUB-TOTAL:						\$ 57,706,996.59
RESTRICTED:						
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2025	4.88%	\$ 1,168.38	\$ 26,124.17
General	TD	CD	10/18/2024	5.18%	\$ 362,810.33	\$ 40,668,737.83
General	TD	CD*	10/15/2024	5.18%	\$ 155,472.44	\$ 17,427,475.08
General	TD	CD	10/15/2024	5.18%	\$ 170,928.55	\$ 19,798,673.66
SUB-TOTAL:						\$ 77,921,010.74
RESERVE:						
General ¹	PNC	T-Bills	10/24/2024	5.27%	\$ 243,627.00	\$ 19,391,873.00
SUB-TOTAL:						\$ 19,391,873.00
RESTRICTED:						
Capital Project	TD	CD	10/15/2024	5.18%	\$ 13,060.53	\$ 1,464,002.82
Capital Project	TD	CD	10/15/2024	5.18%	\$ 1,139.64	\$ 127,746.63
Capital Project	TD	CD	10/15/2024	5.18%	\$ 104,231.22	\$ 11,683,659.35
Water/Sewer	PNC	T-Bills	10/24/2024	5.27%	\$ 192,608.00	\$ 15,331,392.00
State Bonds Proceeds	TD	CD	10/15/2024	5.18%	\$ 31,309.95	\$ 3,509,647.30
SUB-TOTAL						\$ 32,116,448.10
Total Investments						\$ 187,136,328.44
Total Cash on Hand						\$ 17,847,847.18
Grand Total						\$ 204,984,175.62

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

DaWayne Sims 9/5/2024

7768CA8083E8468...
DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

LOUIS L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537

WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I September 05, 2024

Cash - Ledger Balance (as of 09/04/2024):

Pension Payroll	M & T Bank	\$	174,108.10
Retiree Healthcare	M & T Bank	\$	1,281,851.10
Police Pension	M & T Bank	\$	120,573.49
Fire Pension	M & T Bank	\$	1,204.39
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	200,966.35
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	1,781,296.24

Cash Equivalents (as of 09/04/2024) & Investments (Market Value as of Aug 30, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension III	TD	CD	9/6/2024	5.25%	\$ 34,424.73	\$ 3,934,255.00
SUB-TOTAL:						\$ 3,934,255.00
RESERVE:						
Pension Trust	Rhumblin (S&P 500)					\$ 107,029,214.00
Pension Trust	Earnest Partners					\$ 18,903,112.00
Pension Trust	Dodge & Cox					\$ 14,299,546.00
Pension Trust	Artisan Global					\$ 14,348,383.00
Pension Trust	MFS Low Global					\$ 15,749,311.00
Pension Trust	Fidelity Total Intl. Index					\$ 18,442,901.00
Pension Trust	Harding Loevner					\$ 2,571,001.00
Pension Trust	Fidelity Emerging					\$ 3,025,801.00

DocuSigned by:

DaWayne Sims 9/5/2024

7768CA8083E8468...
DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

LOUIS L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537

WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II September 05, 2024

Investments (Market Value Aug 30, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Clarion Lion					\$ 9,728,945.00
Pension Trust	Morgan Stanley					\$ 8,130,908.00
Pension Trust	JP Morgan					\$ 15,993,290.00
Pension Trust	LM Capital Core					\$ 34,028,219.00
Pension Trust	Rhumblin Core					\$ 29,715,224.00
Pension Trust	Fidelity Bond Index					\$ 9,688,594.00
Pension Trust	Money Market					\$ 1,857,442.00
Pension Trust	OPEB Trust Fund					\$ 35,924,074.00
SUB-TOTAL						\$ 339,435,965.00
Total Investments						\$ 343,370,220.00
Total Cash on Hand						\$ 1,781,296.24
Grand Total						\$ 345,151,516.24

Total Funds under Treasury Management:

Total Investments						\$ 530,506,548.44
Total Cash on Hand						\$ 19,629,143.42
Grand Total¹						\$ 550,135,691.86

¹ Excludes non-City funds held in trust on behalf of City employees (Mass Mutual)

DocuSigned by:
DaWayne Sims 9/5/2024
7768CA8083E8468...
DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

LOUIS L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537
WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member B. Fields, seconded by Council Member McCoy, the following non-legislative resolutions were accepted into the record and motion prevailed:

a. Recognition Resolutions

All Council	Recognize Latin American Community Center Hispanic Heritage Month Event
All Council	Recognize Shane Johnson
B. Fields	Recognize Wilmington Police Department Community Engagement Unit

b. Sympathy Resolutions

All Council	Sympathy Glenn Hamilton
Cabrera	Sympathy Nathaniel (Julious) Johnson
B. Fields	Sympathy Willis J. Garnett, Jr.
Harlee	Sympathy Marquette Lewis

PUBLIC COMMENTS

At this time, President Congo opened up the floor for public comments and the following individuals spoke:

- Deacon Earl E. Tate, II
- Tony Lewis

LEGISLATIVE BUSINESS

Council Member Darby presented and called for the first and second reading Ordinance No. 24-049 (Agenda #0473) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE
CITY CODE TO INCREASE OVERSIGHT OF
NEIGHBORHOOD PLANNING COUNCILS

FISCAL IMPACT STATEMENT: This legislation's estimated fiscal impact is \$30,000.00 to hire a consultant to provide NPC training.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Darby, seconded by Council Member B. Fields, the Ordinance was received, recorded and referred to the Community Development & Urban Planning Committee. Motion prevailed.

Note: At this time, Council Member Darby requested to be excused from the meeting.

Council Member Harlee presented and called for the first and second reading Ordinance No. 24-050 (Agenda #0474) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 1
TO THE FISCAL YEAR 2025 OPERATING BUDGET
(BEING AN ORDINANCE TO AMEND SUBSTITUTE
NO. 1 TO ORDINANCE NO. 24-016)

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

Note: At this time, Council Member Harlee requested to be excused from the meeting.

Council Member McCoy presented Resolution No. 24-050 (Agenda #0475) as follows:

WHEREAS, Section 2-369 of the City Code requires grants awarded by the Mayor, City Council, or the City Treasurer in the amount of \$5,000 or more within a fiscal year to be approved by resolution of City Council; and

WHEREAS, Developing Next-Level Achievers, Inc. (DNLA) has previously received \$4,999 in Community Support/ Discretionary Funds from various Councilpersons in Fiscal Year 2025; and

WHEREAS, City Council Member Yolanda M. McCoy wishes to award a grant to DNLA in the amount of \$3,000 from the Community Support/ Discretionary Funds, which has been allocated to provide sponsorship by various Councilpersons of community initiatives; and

WHEREAS, DNLA is a 501(c)3 community development corporation that “provides community resources to uplift creatives, entrepreneurs, and innovators through equitable education and resources and create spaces for people to grow, excel, and express themselves freely”; and

WHEREAS, these funds will be used to support Small Business Saturdays. This initiative provides small businesses with a marketplace, located on 3rd Street, where they can showcase handmade crafts, artisanal products, specialty services, and other goods to the community; and

WHEREAS, Small Business Saturdays are hosted at the Milk and Honey Coffeehouses. The Saturday events provide entrepreneurs with tables, signage, and other necessary supplies; furnish a welcoming space for community members to shop; and engage local performers to attract a wider audience to the site.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Council hereby approves the issuance of a grant to Developing Next-Level Achievers, Inc. (DNLA) in the amount of \$3,000.

BE IT FURTHER RESOLVED that this grant contribution is in accordance with the 2022-2025 Wilmington City Council Strategic Plan goal of fostering a “Business Friendly Wilmington” that “provides resources for Neighborhood Business Corridors.”

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

President Congo 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 White, B. Fields, McCoy, Johnson, Mills and Bracy, and Council President Congo. Total, seven. Nays, none. Absent, Council Members Darby, Oliver, Harlee, N. Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-045 (Agenda #0469) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY’S GENERAL OBLIGATION BOND (WATER DISTRIBUTION & TRANSMISSION IMPROVEMENTS – LEAD REMOVAL PHASE II PROJECT), SERIES C OF 2024-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CONTINUING REPLACEMENT OF WATERMAINS IN CITY’S DISTRIBUTION SYSTEM; PROVIDING FOR THE SALE OF THE 2024C BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance.

The above-referenced Ordinance was read for 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 White, B. Fields, McCoy, Johnson, Mills and Bracy, and Council President Congo. Total, seven. Nays, none. Absent, Council Members Darby, Oliver, Harlee, N. Field, Cabrera and Spadola. Total, six.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-046 (Agenda #0470) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (11TH STREET SEWAGE PUMP STATION REPLACEMENT/UPGRADES – SCREENING PROJECT), SERIES B OF 2024-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE REPLACEMENT OF A SCREEN AT THE CITY'S 11TH STREET SEWAGE PUMP STATION; PROVIDING FOR THE SALE OF THE 2024B BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance.

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for 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 White, B. Fields, McCoy, Johnson, Mills and Bracy, and Council President Congo. Total, seven. Nays, none. Absent, Council Members Darby, Oliver, Harlee, N. Field, Cabrera and Spadola. Total, six.

President Congo declared the Ordinance **adopted**.

On behalf of President Congo, Council Member Bracy presented and called for the third and final reading Ordinance No. 24-039 (Agenda #0460) entitled:

AN ORDINANCE TO APPROVE AND AUTHORIZE AN EXTENSION OF THE FRANCHISE AGREEMENT BETWEEN COMCAST OF NEW CASTLE COUNTY, LLC AND THE CITY OF WILMINGTON

FISCAL IMPACT STATEMENT: This Ordinance shall bring in a minimum of \$90,000 per year in PEG channel support, totaling a minimum of \$450,000 over the life of the five-year contract. This Ordinance also requires Comcast to remit to the City the maximum five percent (5%) franchise fees allowed by the Cable Act. That number is inexact, as the number of subscribers and types of cable subscriptions will vary.

Upon a motion of Council Member Bracy, seconded by Council Member McCoy, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Bracy spoke on the purpose of the Ordinance. President Congo made comments. Council Member White raised a question and President Congo responded. Council Member Johnson raised a question and President Congo responded and made comments. Council Member McCoy raised a questions and President Congo responded.

President Congo requested the Clerk to call the roll.

Ordinance No. 24-039 was **held** in the middle of the vote by President Congo with Council Member White voting “No”; Council Members B. Fields and McCoy voting “Yes” and Council Member Johnson voting “Present”.

PETITIONS AND COMMUNICATIONS

Council Member Johnson requested the Clerk to read the following communication into the record:

September 3, 2024

VIA EMAIL: ccjohnson@wilmingtonde.gov

The Honorable Chris Johnson
Louis L. Redding
City/County Building
800 N. French Street, 9th floor
Wilmington, DE 19801

Dear Councilman Johnson:

By way of this letter, you are hereby advised that Pamela J. Scott, Esq., of Saul Ewing LLP submitted a rezoning application on behalf of St. Francis Hospital, Inc., which a copy of the application was also forwarded to you. As you are aware, the application is submitted to the City Clerk, which in turns is referred to the Councilmember representing the affected district, for submission to City Council for action. In addition, please know that this rezoning request should be referred to the Planning Commission at the next available Council meeting.

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

Cc: The Honorable Ernest “Trippi” Congo II, City Council President (via email)
Mona A. Parikh, Council’s Chief of Staff (via email)
Tanya Washington, Mayor’s Chief of Staff (via email)
Marchelle Basnight, Senior Legislative Advisor and CFO (via email)
Akira R. Grenardo, Legislative Admin. Asst/Deputy City Clerk (via email)

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

Council Members and Council President spoke on the following: rezoning application; students were welcomed back to school and everyone who’s driving was encouraged to use caution and not go around school buses; and including but not limited to, everyone was thanked for joining tonight’s meeting and encouraged to contact the City Council Office with any questions and/or concerns. In addition, those who gave public comments were thanked.

ADJOURNMENT

Upon a motion of Council Member B. Fields, seconded by Council Member McCoy, Council adjourned at 7:17 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the September 5, 2024 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/314544>.

Attest: 

Maribel Seijo, City Clerk