

*Wilmington City Council
Wilmington, Delaware
October 17, 2024*

City Council met in regular session with remote participation on the above date at 6:32 p.m., with President Pro Tempore Maria D. Cabrera opening up the meeting. The floor was given to President Ernest M. Congo II, who presided over the meeting virtually.

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), Oliver, Harlee (virtual), B. Fields (virtual), McCoy, Johnson, N. Field (virtual), Cabrera, Mills, Spadola (virtual) and Bracy*, and Council President Congo. Total, thirteen.

MINUTES

After reading a portion of the minutes of October 3, 2024, upon a motion of Council Member Johnson, seconded by Council Member Oliver, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The Deputy 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

October 7, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-043** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY
CODE REGARDING THE ANNUAL SHOE ALLOWANCE
FOR SAFETY SHOES

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 McCoy, the Report was received, recorded and filed. Motion prevailed.

The Deputy 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

October 7, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-050** 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)

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 Oliver, the Report was received, recorded and filed. Motion prevailed.

The Deputy 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

October 7, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-051** entitled:

AN ORDINANCE TO ESTABLISH A TEMPORARY
MORATORIUM ON THE FORMAL POSITION
CLASSIFICATION BIENNIAL APPEALS PROCESS

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 Oliver and McCoy, the Report was received, recorded and filed. Motion prevailed.

The Deputy 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

October 7, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-052** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS AND GENERAL OBLIGATION BOND ANTICIPATION NOTE IN ORDER TO PROVIDE THE FUNDS NECESSARY TO FINANCE VARIOUS CAPITAL PROJECTS SPECIFIED IN THE CITY'S FISCAL YEAR 2022 AND 2024 CAPITAL BUDGETS; PROVIDING FOR THE SALE OF THE BONDS AND THE BAN; 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 Oliver and McCoy, the Report was received, recorded and filed. Motion prevailed.

**Note: At this time, Council Members Bracy and Darby were recognized as being present and reflected in the minutes herein (Roll Call).*

TREASURER'S REPORT

The following Treasurer's Report for October 17, 2024 was read into the record by Deputy City Clerk and upon a motion of Council Member Johnson, seconded by Council Member Oliver, 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 October 17, 2024

Cash - Ledger Balance (as of 10/16/2024):

General	M & T Bank	\$ 8,557,269.00
Payroll	M & T Bank	\$ 1,311,573.14
Law Department Court Costs	M & T Bank	\$ 4,490.07
Total Petty Cash	M & T Bank	\$ 5,913.65
Police - Evidence Found (Currency)	M & T Bank	\$ 1,208,722.99
Police & Fire Remembrance	M & T Bank	\$ 11,744.49
Police Department Discretionary	M & T Bank	\$ 22,701.29
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		\$ 11,249,215.37

Cash Equivalents & Investments (as of 10/16/2024):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.99%	\$ 3,738.03	\$ 36,216,999.32
General	TD	High Yield Checking	13	4.49%	\$ 5,057.85	\$ 3,119,452.71
General	TD	High Yield Checking	13	4.49%	\$ 7,376.23	\$ 4,549,330.67
General	TD	High Yield Checking	13	4.32%	\$ 7,917.93	\$ 5,075,595.37
SUB-TOTAL:						\$ 48,961,378.07
RESTRICTED:						
Police & Fire Remem.	WSES	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						\$ 178,390,709.91
Total Cash on Hand						\$ 11,249,215.37
Grand Total						\$ 189,639,925.28

¹ Budget Reserve
*Restricted use Per ARPA US Treasury Guidelines
** Investments currently undergoing renewals

DocuSigned by:
DaWayne Sims 10/17/2024
7768CA003EF468
DaWayne Sims, City Treasurer

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I October 17, 2024

Cash - Ledger Balance (as of 10/16/2024):

Pension Payroll	M & T Bank	\$	81,941.12
Retiree Healthcare	M & T Bank	\$	905,829.37
Police Pension	M & T Bank	\$	116,441.55
Fire Pension	M & T Bank	\$	352,582.12
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	182,016.58
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		\$	1,641,403.55

Cash Equivalents (as of 10/16/2024) & Investments (Market Value as of Oct 11, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension III	TD	CD	11/20/2024	5.08%	\$ 31,418.53	\$ 2,968,679.73
SUB-TOTAL:						\$ 2,968,679.73
RESERVE:						
Pension Trust	Rhumbline (S&P 500)					\$ 110,406,767.00
Pension Trust	Earnest Partners					\$ 18,854,837.00
Pension Trust	Dodge & Cox					\$ 14,523,920.00
Pension Trust	Artisan Global					\$ 14,736,495.00
Pension Trust	MFS Low Global					\$ 15,698,629.00
Pension Trust	Fidelity Total Intl. Index					\$ 18,695,890.00
Pension Trust	Harding Loevner					\$ 2,564,049.00
Pension Trust	Fidelity Emerging					\$ 3,219,408.00

DocuSigned by:

DaWayne Sims

10/17/2024

7766CA8083E8468...

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 October 17, 2024

Investments (Market Value Oct 11, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Clarion Lion					\$ 9,596,606.00
Pension Trust	Morgan Stanley					\$ 7,914,405.00
Pension Trust	JP Morgan					\$ 15,993,290.00
Pension Trust	LM Capital Core					\$ 33,968,151.00
Pension Trust	Rhumblin Core					\$ 29,691,638.00
Pension Trust	Fidelity Bond Index					\$ 9,669,051.00
Pension Trust	Money Market					\$ 2,226,810.00
Pension Trust	OPEB Trust Fund					\$ 36,518,763.00
SUB-TOTAL						\$ 344,278,709.00
Total Investments						\$ 347,247,388.73
Total Cash on Hand						\$ 1,641,403.55
Grand Total						\$ 348,888,792.28

Total Funds under Treasury Management:

Total Investments						\$ 525,638,098.64
Total Cash on Hand						\$ 12,890,618.92
Grand Total¹						\$ 538,528,717.56

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

DocuSigned by:

DaWayne Sims 10/17/2024
7786CA8083E8488...
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 Cabrera, seconded by Council Members McCoy and Johnson, the following non-legislative resolutions were accepted into the record and motion prevailed:

a. Recognition Resolutions

- | | |
|-------------|---|
| All Council | Recognize Jeffrey Starkey (Retirement) |
| Cabrera | Recognition Yvette Santiago (National Hispanic Heritage Month) |
| Cabrera | Recognition Maria Matos (30 Years of Service at the Latin American Community Center) |
| Oliver | Recognition Dr. Debra Mason (1st Anniversary of the East Side HUB) |
| Oliver | Recognition H. Fletcher Brown Boys and Girls Club Honorees Gil Jackson & Richard Johnson (75 th Anniversary) |
| Oliver | Recognize Wilmington Job Corps Center's 20 th Anniversary |

b. Sympathy Resolutions

- | | |
|-------------|---|
| All Council | Sympathy Theodore W. Becker (Former Mayor of Lewes) |
| McCoy | Sympathy Edward J. Mills, Sr. |

PUBLIC COMMENTS

At this time, the floor was opened for public comments and the following individuals spoke:

- Deacon Earl E. Tate, II
- Shyanne Miller
- Christian Willauer
- Lourdes Rivera
- Jaquata Whittle
- Eunice LaFate
- Dr. Tony Allen
- There DuPont

LEGISLATIVE BUSINESS

Council Member White presented and called for the first and second reading Ordinance No. 24-054 (Agenda #0487) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE TO REQUIRE FUNERAL SERVICE

PROVIDERS TO PROVIDE A PROBATE
INFORMATION SHEET TO PERSONAL
REPRESENTATIVES OF DECEDENT

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.

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

Council Member Oliver presented and called for third and final reading Ordinance No. 24-043 (Agenda #0467) entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF
THE CITY CODE REGARDING THE ANNUAL
SHOE ALLOWANCE FOR SAFETY SHOES

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is de minimis.

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

President Congo requested the Clerk call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member Darby. Total, one.

President Congo declared the Ordinance **adopted**.

Council Member Oliver presented Resolution No. 24-058 (Agenda #0488) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Department of Parks and Recreation submitted a 2024 Outdoor Recreation, Parks and Trails Grant Program (the "ORPT Program") application

to the State of Delaware Department of Natural Resources and Environmental Control in the amount of \$125,000.00; and

WHEREAS, the ORPT Program, formerly known as the Delaware Land and Water Conservation Trust Fund, is a matching grant program assisting with public park land acquisition and outdoor recreation facility development in Delaware, and has provided over \$32 million in matching grant assistance to eligible local, county, and state governments throughout Delaware since 1988; and

WHEREAS, the Department of Parks and Recreation intends to use the grant funds to make improvements to Johnston Park/Playground; and

WHEREAS, the City is required to provide a local match of one-third (1/3) of the grant award, which would amount to \$41,666.67; and

WHEREAS, the City will fund its match through amounts already budgeted for this purpose; and

WHEREAS, City Council deems it necessary and appropriate to authorize the grant application for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant application to the State of Delaware Department of Natural Resources and Environmental Control in the amount of \$125,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City. Although the grant requires a one-third (1/3) local match of the grant award, which will total \$41,666.67, sufficient funds have already been budgeted for this purpose.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution. Council Member Cabrera raised questions and Council Member Oliver responded.

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, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member Darby. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented and called for the first and second reading Ordinance No. 24-055 (Agenda #0489) entitled:

AN ORDINANCE TO AMEND CHAPTER 3 OF
THE CITY CODE TO INCREASE THE FINE
FOR DOG OWNERS WHOSE DOG BITES
SOMEONE WHILE OFF-LEASH

FISCAL IMPACT STATEMENT: This Ordinance's fiscal impact should be *de minimis*.

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

On behalf of Council Member Harlee, Council Member Johnson presented and called for the third and final 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)

SYNOPSIS AND FISCAL IMPACT: This Ordinance is the first amendment to the Fiscal Year 2025 Operating Budget, which was originally enacted in Substitute No. 1 to Ordinance No. 24-016. This amendment authorizes the transfer of \$10 million from the Tax Stabilization Reserve to the Economic Strategic Fund to support the relocation of the Widener University Delaware Law School and the Delaware State University Nursing Program into the Bracebridge II office building.

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 and made comments. Council Member Cabrera made comments. Council Member Mills requested to be added as a co-sponsor and made comments. Council Members Harlee, B. Fields, Bracy and Oliver made comments. Council Member Harlee made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Member White, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member Darby. Total, one.

President Congo declared the Ordinance **adopted**.

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

Council Member McCoy presented and called for first and second reading Ordinance No. 24-056 (Agenda #0490) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE TO INCREASE THE INCOME THRESHOLD FOR THE EXEMPTION OF CAREGIVER, ELDERLY, OR DISABLED PERSONS FROM REAL ESTATE TAXATION

FISCAL IMPACT STATEMENT: This Ordinance's fiscal impact is unknown at this time.

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

Council Member Johnson **held** Agenda #0491.

Council Member Johnson presented and called for the first and second reading Ordinance No. 24-057 (Agenda #0492) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (ADAMS STREET GREEN INFRASTRUCTURE PROJECT), SERIES C OF 2024-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE INSTALLATION OF THREE (3) BIORETENTION GARDENS, 1900 LINEAR FEET OF STORMWATER PIPE, SIXTEEN (16) MANHOLES, AND FIVE (5) TRENCH DRAINS LOCATION IN AND AROUND THE ADAM STREET COURTS AT 210 NORTH JACKSON STREET; PROVIDING FOR THE SALE OF THE 2024C BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

Council Member Johnson presented Resolution No. 24-059 (Agenda #0493) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, on July 11, 2024, City Council passed Resolution 24-046, which authorized the Department of Public Works' grant application to the State of Delaware Department of Health and Social Services, Division of Public Health (the "DHSS"), for an Emerging Contaminants in Small or Disadvantaged Communities Grant in an amount not to exceed Two Million Four Hundred Two Thousand Nine Hundred Twenty-Six Dollars (\$2,402,926.00); and

WHEREAS, the DHSS has awarded the City an Emerging Contaminants in Small or Disadvantaged Communities Grant in the greater amount of Two Million Four Hundred Seventy-Three Thousand One Hundred Thirty-Four Dollars (\$2,473,134.00); and

WHEREAS, the proposed grant funding would support completing the design and first phase of construction to incorporate the most cost-efficient means of removing PFAS from the City's source at the Porter and Brandywine Plants; and

WHEREAS, no local matching funds are required by this grant; and

WHEREAS, City Council deems it necessary and proper to amend Resolution 24-046 to authorize the acceptance of the increased grant funds for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Resolution 24-046 is hereby amended to authorize the Department of Public Works to accept an Emerging Contaminants in Small or Disadvantaged Communities Grant from the DHSS in the amount of Two Million Four Hundred Seventy-Three Thousand One Hundred Thirty-Four Dollars (\$2,473,134.00), or such other amount as the DHSS shall determine.

BE IT FURTHER RESOLVED that the Commissioner of Public Works, or her designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City because no local matching funds are required by this grant.

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

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, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills,

Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Harlee. Total, two.

President Congo declared the Resolution **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-051 (Agenda #0476) entitled:

AN ORDINANCE TO ESTABLISH A TEMPORARY
MORATORIUM ON THE FORMAL POSITION
CLASSIFICATION BIENNIAL APPEALS PROCESS

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated negative fiscal impact.

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. Council Member McCoy made comments and raised a question, and Council Member Johnson responded. Council Member White raised questions and Council Member Johnson responded. Council Members Oliver, Bracy and White made comments. Council Member Johnson made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, ten. Nays, none. Present, Council Member White. Total, one. Absent, Council Members Darby and Harlee. Total, two.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-052 (Agenda #0477) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF
THE CITY'S GENERAL OBLIGATION BONDS AND
GENERAL OBLIGATION BOND ANTICIPATION
NOTE IN ORDER TO PROVIDE THE FUNDS
NECESSARY TO FINANCE VARIOUS CAPITAL
PROJECTS SPECIFIED IN THE CITY'S FISCAL YEAR
2022 AND 2024 CAPITAL BUDGETS; PROVIDING
FOR THE SALE OF THE BONDS AND THE BAN;
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 the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Harlee. Total, two.

President Congo declared the Ordinance **adopted**.

Note: At this time, Council Member B. Fields requested to be excused.

Council Member Cabrera presented Resolution No. 24-061 (Agenda #0494) as follows:

WHEREAS, on October 3, 2024, Ordinance No. 24-053 (the “Ordinance”) was introduced before City Council proposing amendments to Chapter 48 of the City Code to permit the cultivation, manufacture, testing, and retail of recreational marijuana within certain commercial, manufacturing, and waterfront zoning districts; and

WHEREAS, the City Planning Commission considered the amendments proposed in the Ordinance at its October 1, 2024 meeting, after holding a duly advertised public hearing; and

WHEREAS, the City Planning Commission is scheduled to reconsider the amendments proposed in the Ordinance at its October 22, 2024 meeting; and

WHEREAS, City Code Section 48-51 requires that a duly advertised public hearing be held by City Council prior to the adoption of the Ordinance; and

WHEREAS, City Council proposes to schedule a public hearing for review of the Ordinance, or a substitute thereto, to be duly advertised in conformity with City Code Section 48-51 by publication in any newspaper of general circulation, at least once, not less than fifteen (15) days prior to the date of the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council hereby schedules a public hearing on the Ordinance, or a substitute thereto, to be held on November 7, 2024 at 6:30 p.m. in the City Council Chambers to consider the Ordinance’s proposal to amend Chapter 48 of the City Code to permit the cultivation, manufacture, testing, and retail of recreational marijuana within certain commercial, manufacturing, and waterfront zoning districts; and

BE IT FURTHER RESOLVED that members of the public will be allowed to participate in the public hearing (i) in person in the City Council Chambers and (ii) virtually in accordance with 29 *Del. C.* § 10006A. The instructions for virtual participation will be provided on the agenda for the November 7, 2024 Council meeting.

BE IT FURTHER RESOLVED that the President of City Council and the City Clerk are hereby directed to give public notice of said hearing in the manner and form required by the provisions of the Wilmington City Charter and City Code.

Upon a motion of Council Member Cabrera, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Cabrera spoke on the purpose of the Resolution. Council Member N. Field raised a question. Council Member Cabrera raised a question and made comments. Council Member N. Field made comments. Council Member Cabrera made additional comments. Council Member Johnson made comments. Council Member N. Field made a comment.

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 Oliver, McCoy, Johnson and Cabrera. Total, four. Nays, Council Member N. Field and Council President Congo. Total, two. Present, Council Members White, Mills, Spadola, and Bracy. Total, four. Absent, Council Members Darby, Harlee, and N. Fields. Total, three.

President Congo declared the Resolution **adopted****.

***Note: Initially, Resolution No. 24-061 was declared defeated, however, it was duly noted at the November 7, 2024 meeting that the Resolution was in fact adopted based on those members present and voting and is correctly reflected in the minutes herein.*

PETITIONS AND COMMUNICATIONS

Council President Congo thanked everyone who joined tonight's meeting whether in-person or virtually and encouraged everyone to call the Council Office with any concerns and questions.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Members McCoy and Oliver, Council adjourned at 8:07 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the October 17, 2024 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/318079>.

Attest: 
Maribel Seijo, City Clerk