

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
May 7, 2020*

City Council met in “**virtual**” regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

The Pledge of Allegiance was recited by City Council.

### ROLL CALL

The following members responded to the Call of the Roll: Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon Guy and Walsh, and Council President Shabazz. Total, thirteen.

### MINUTES

After reading a portion of the minutes of April 16, 2020, upon a motion of Council Member Congo, seconded by Council Member Walsh, it was moved they be accepted as written. Motion prevailed.

### REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Finance &amp; Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. “Bud” Freel, Chair	x		
Ciro Adams	x		
Linda M. Gray	x		
Christofer C. Johnson	x		
Zanthia Oliver	x		
Loretta Walsh		x	
Dr. Hanifa Shabazz, Ex-Officio	x		

President and Members of Council of  
The City of Wilmington

April 27, 2020

Ladies and Gentlemen:

We, your Virtual Finance & Economic Development Committee, to who was referred **Ordinance No. 20-010** entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO A  
 SUBLEASE AGREEMENT BETWEEN THE CITY AND DETV  
 FOUNDATION, INC.

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 Freel, seconded by Council Member  
 Walsh, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance &amp; Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	x		
Ciro Adams	x		
Linda M. Gray	x		
Christofer C. Johnson	x		
Zanthia Oliver	x		
Loretta Walsh		x	
Dr. Hanifa Shabazz, Ex-Officio	x		

President and Members of Council of  
 The City of Wilmington

April 27, 2020

Ladies and Gentlemen:

We, your Virtual Finance & Economic Development Committee, to who  
 was referred **Ordinance No. 20-018** entitled:

AN ORDINANCE ESTABLISHING SALARIES OF CITY COUNCIL  
 MEMBERS FOR THE 108<sup>TH</sup> SESSION TO BE EFFECTIVE AS OF  
 JANUARY 5, 2021

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 Freel, seconded by Council Member  
 Walsh, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance &amp; Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	x		
Ciro Adams	x		
Linda M. Gray	x		
Christofer C. Johnson	x		
Zanthia Oliver	x		
Loretta Walsh		x	
Dr. Hanifa Shabazz, Ex-Officio	x		

President and Members of Council of  
The City of Wilmington

April 27, 2020

Ladies and Gentlemen:

We, your Virtual Finance & Economic Development Committee, to who was referred **Ordinance No. 20-019** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE IN ORDER TO AUTHORIZE THE CITY TREASURER TO ACCESS THE BUDGET RESERVE ACCOUNT FUNDS FOR FISCAL YEAR 2020 AND REQUIRE REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL YEAR

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 Freel, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

### TREASURER'S REPORT

The following Treasurer's Report as of May 7, 2020, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 4 to Page 5.*

*City of Wilmington*  
Delaware

Velda Jones-Potter  
City Treasurer

Louis L. Redding City/County Building  
800 French Street  
Wilmington, Delaware 19801-3537  
(302) 576-2480  
treasurer@wilmingtonde.gov



**City of Wilmington Treasurer's Report**  
as of May 7, 2020

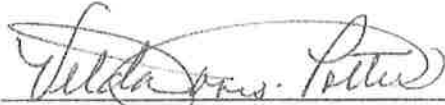
**Cash on Hand:**

General Account	M & T Bank	\$16,132,996.77
Central Deposit	M & T Bank	\$530,508.01
Payroll	M & T Bank	\$4,389,724.85
Total Petty Cash Accounts	M & T Bank	11,026.93
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$1,050,315.32
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,659.33
Police Department Discretionary	M & T Bank	\$22,303.06
Pension Payroll Account	M & T Bank	\$183,248.62
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,500.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$21,813.71
Police Pension Account	M & T Bank	\$4,338.89
Fire Pension Account	M & T Bank	\$4,030.87
Worker's Comp 3rd Party Account	M & T Bank	\$25,000.00
Retiree Healthcare Account	M & T Bank	\$201,695.36
<b>SubTotal</b>		<b>\$22,770,089.80</b>
<b>Total Cash on Hand</b>		<b>\$22,770,089.80</b>

**INVESTMENTS MAY 7, 2020:**

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>GENERAL FUND:</b>						
General	TD	CD	5/28/2020	1.50%	\$31,250.00	\$6,000,000.00
General <sup>1</sup>	WSFS	CD	6/18/2020	1.62%	\$95,625.00	\$17,000,000.00
<b>SUB-TOTAL:</b>						<b>\$23,000,000.00</b>
<b>CAPITAL FUND:</b>						
Capital ≤ 2015	TD	CD	5/20/2020	1.65%	\$47,356.82	\$10,651,955.58
Capital ≥ 2018	TD	CD	5/20/2020	0.68%	\$20,205.27	\$15,281,294.70
<b>SUB-TOTAL:</b>						<b>\$25,933,250.28</b>
<b>RISK MGMT:</b>						
Risk Management	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Worker's Comp	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Retiree Medical Escrow	Vanguard-OPEB					\$22,108,754.00
<b>SUB-TOTAL:</b>						<b>\$38,683,388.22</b>
<b>PENSION FUND:</b>						
Non-Uniform 1990	TD	CD	5/28/2020	0.25%	\$889.58	\$4,270,000.00
Fire Pension	TD	CD	5/28/2020	0.25%	\$578.13	\$2,775,000.00
Escrow Pension	Edgar Lomax					\$18,406,585.00
Escrow Pension	Vanguard Fixed					\$39,015,990.00
Escrow Pension	Earnest Partners					\$19,956,023.00
Escrow Pension	Wilmington Trust					\$40,013,183.00
Escrow Pension	Vanguard Stock Index					\$31,010,070.00
Escrow Pension	Artisan Global					\$7,369,047.00
Escrow Pension	Dodge & Cox					\$8,414,806.00
Escrow Pension	Fidelity					\$8,491,644.00
Escrow Pension	Harding Loevner					\$7,916,027.00
Escrow Pension	MFS Management					\$21,205,315.00
Escrow Pension	Clarion Lyon					\$9,806,396.00
Escrow Pension	Money Market					\$510,636.00
Escrow Pension	Morgan Stanley					\$6,982,619.00
<b>SUB-TOTAL:</b>						<b>\$226,143,341.00</b>
<b>OTHER:</b>						
Deferred Comp.	MassMutual					\$47,820,665.16
Contractual Requirements	WSFS	CD	7/1/2020	1.45%	\$20,638.07	\$3,049,961.78
Port Debt	WSFS	CD	7/15/2020	1.40%	\$11,537.20	\$1,978,890.00
<b>Total Investments</b>						<b>\$366,609,496.44</b>
<b>Total Cash on Hand</b>						<b>\$22,770,089.80</b>
<b>Grand Total</b>						<b>\$389,379,586.24</b>

<sup>1</sup> Budget Reserve

  
 Velda Jones-Potter, City Treasurer

## NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Walsh, seconded by Council Member Freel, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Sympathy Dr. Joseph Johnson
Harlee	Sympathy Lois Gaitwood
Oliver	Sympathy Kenyatta X. Brooks
Oliver	Sympathy Erma V. Peterson

## LEGISLATIVE BUSINESS

Council Members Gray and Congo did not have any legislation to present this evening.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-010 (Agenda #4781) entitled:

AN ORDINANCE TO AUTHORIZE AN AMENDMENT TO A  
SUBLEASE AGREEMENT BETWEEN THE CITY AND DETV  
FOUNDATION, INC.

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance. Council Member Harlee raised a question and President Shabazz responded.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz 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 Gray, Oliver, Harlee, Johnson, Freel, Adams and Walsh, and Council President Shabazz. Total, eight. Nays, Council Members Congo, McCoy, Dixon and Guy. Total, four. Present, Council Member Turner. Total, one.

President Shabazz declared the Ordinance adopted.

Council Members Harlee, Turner and McCoy did not have any legislation to present this evening.

On behalf of President Shabazz, Council Member Johnson presented  
Resolution No. 20-022 (Agenda #4799) as follows:

**WHEREAS**, the Coronavirus Aid, Relief and Economic Security (CARES) Act provides \$2.2 trillion to address the COVID-19 emergency, with \$150 billion going directly to states, territories, tribes and localities to combat the public health and economic effects of the COVID-19 pandemic; and

**WHEREAS**, the State of Delaware is fortunate to have fierce advocates in Congress who fought to ensure that small states like ours were not overlooked in comparison to their larger neighbors and were awarded significant funding. However, like many states, Delaware is facing a looming budget shortfall that already is unprecedented in our state's history. The full economic impact of this crisis might not be realized for several months; and

**WHEREAS**, The CARES Act provides vital funding, but it restricts the money to unbudgeted expenses related to COVID-19. This is far too restrictive for states like Delaware to effectively apply the federal funds to these very special circumstances. Being able to use these dollars to shore-up Delaware's operating budget is critical to maintaining services and recovering from this unprecedented crisis; and

**WHEREAS**, according to a survey by the United States Conference of Mayors and the National League of Cities, as this pandemic brings the nation's economy to a standstill, nearly nine in 10 cities expect a budget shortfall due to the impact of the outbreak. An even larger share of cities – 98% – with populations between 50,000 and 500,000 expect a shortfall because of the pandemic; and

**WHEREAS**, the City of Wilmington is among those smaller-than-500,000 population municipalities that will be directly and adversely impacted in our efforts to both address the pandemic, while compensating for the shortfalls, layoffs and service gaps that have been created due to COVID-19; and

**WHEREAS**, The City of Wilmington is not only the largest city in the State of Delaware, but a City with over 50% of its permanent residents self-identifying as Black, Hispanic and low- to moderate income households. The shortfalls we will experience due to predicated by virtue that 43% of the City's revenues are generated from Wage Taxes, 25% of the City's revenues are generated from Property Taxes and 65% of the City's operating budgetary expenses are for core City services such as First Responders for Police and Fire, Sanitation, Streets, Water Sewer System, and Code Enforcement. COVID-19 will have real, and possibly long-lasting effects on our City, and the flexibility provided by H.R. 6467 will be key to our efforts to address public health emergencies caused by COVID-19; and

**WHEREAS**, by raising our voices, Members of the 107<sup>th</sup> Session of the City Council of the City of Wilmington, Delaware raise our voices, along with leaders of small municipalities across the country. We ask that you support H.R. 6467 and that you encourage your colleagues in Washington to do the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** we ask that you to support Congressional efforts to amend the CARES Act – H.R. 6467 - to provide small municipalities, such as Wilmington, Delaware, the flexibility to use the funds to compensate for unprecedented revenue losses. Flexible federal funds for state revenue shortfalls will help states continue to provide vital citizen services, prevent further shutdown of vital sectors of the state economy, and hasten the recovery once social distancing measures are relaxed.

Upon a motion of Council Member Johnson, seconded by Council Members Freel and Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution. Comments were made by Members of Council and Council President. Council Member McCoy requested to be added as a co-sponsor. A “point of order” was made to stay on the subject matter at hand. Council Member Oliver requested to be added as a co-sponsor.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Dixon, Guy and Walsh, and Council President Shabazz. Total, twelve. Nays, Council Member Adams. Total, one.

President Shabazz declared the Resolution adopted.

Council Member Freel presented and called for the third and final reading Ordinance No. 20-018 (Agenda #4795) entitled:

AN ORDINANCE ESTABLISHING SALARIES OF CITY COUNCIL MEMBERS FOR THE 108<sup>TH</sup> SESSION TO BE EFFECTIVE AS OF JANUARY 5, 2021

Council Member Freel presented a **Substitute** in lieu of that Ordinance:

AN ORDINANCE ESTABLISHING SALARIES OF CITY COUNCIL MEMBERS FOR THE 108<sup>TH</sup> SESSION TO BE EFFECTIVE AS OF JANUARY 4, 2022

**FISCAL IMPACT STATEMENT:** See attached.

*[The remainder of this page intentionally left blank]*



<b>Per Council Rule# 26</b>			<b>Scenario#1</b>				
Ord# 16-022							
President Salary		\$35,650					
President Pro Tempore		\$32,030					
Finance Committee Chair		\$33,150					
Council Members		\$28,205					
<b>Non Union</b>	<b>COLA</b>	<b>Cum %</b>	<b>Council Member</b>	<b>President</b>	<b>Finance</b>	<b>Pro Tem</b>	
FY17	0.00%	0.00%	\$28,205.00	\$35,650.00	\$33,150.00	\$32,030.00	
FY18	1.00%	1.00%	\$28,487.05	\$36,006.50	\$33,481.50	\$32,350.30	
FY19	0.00%	1.00%	\$28,487.05	\$36,006.50	\$33,481.50	\$32,350.30	
FY20	2.00%	3.02%	\$29,056.79	\$36,726.63	\$34,151.13	\$32,997.31	
		<b>3.02%</b>	<b>\$29,056.79</b>	<b>\$36,726.63</b>	<b>\$34,151.13</b>	<b>\$32,997.31</b>	
<b>Per Council Rule#26</b>							
<b>Proposed Council Salary for 108th Session of City Council</b>							
<b>City Council</b>	<b>107th</b>	<b>Proposed</b>					
<b>Fiscal Impact 2% COLA</b>	<b>Current</b>	<b>108th Session</b>					
	<b>Salary</b>	<b>Salary</b>	<b>Difference</b>	<b>Fica</b>	<b>Med Tax</b>	<b>Pension</b>	<b>Total</b>
President Salary	\$35,650	\$36,726.63	\$1,076.63	\$66.75	\$15.61	\$83.44	\$1,242.43
President Pro Tempore	\$32,030	\$32,997.31	\$967.31	\$59.97	\$14.03	\$74.97	\$1,116.27
Finance Committee Chair	\$33,150	\$34,151.13	\$1,001.13	\$62.07	\$14.52	\$77.59	\$1,155.30
Council Members (10)	\$28,205	\$29,056.79	\$851.79	\$52.81	\$12.35	\$66.01	\$9,829.67
<b>Total Annual Additional Cost:</b>							<b>\$13,343.67</b>
<b>Total FY2021 Fiscal Impact effective 1/5/2021:</b>							<b>\$6,671.84</b>
<b>Proposed Recommendation per Council Rule# 26</b>							
<b>108th Session Salary</b>							
President Salary	\$36,727						
President Pro Tempore	\$32,997						
Finance Committee Chair	\$34,151						
Council Members	\$29,057						

Upon a motion of Council Member Freel, seconded by Council Member Johnson, the **Substitute** Ordinance was before the Council for its consideration. Motion prevailed. Council Member Freel spoke on the purpose of the Substitute Ordinance. Question and comments were made by members of Council as well as Council President. Council Member Freel responded and made closing comments.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to call the roll.

The above-referenced Substitute 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, Harlee, McCoy, Johnson, Freel and Adams, and Council President Shabazz. Total, seven. Nays, Council Members Gray, Congo, Turner, Dixon, Guy and Walsh. Total, six.

President Shabazz declared the **Substitute** Ordinance adopted.

Council Member Freel presented and called for the first and second reading Ordinance No. 20-020 (Agenda #4800) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (LED STREET LIGHTING PROJECT), SERIES OF 2020B-SEPRLF IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR CAPITAL PROJECTS OF THE CITY OF WILMINGTON RELATING TO THE LED STREET LIGHTING PROJECT; PROVIDING FOR THE SALE OF THE BOND TO THE DELAWARE STATE ENERGY PROGRAM REVOLVING LOAN 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 Freel, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Finance & Economic Development Committee. Motion prevailed.

Council Members Adams and Dixon did not have legislation to present this evening.

Council Member Guy presented and called for the third and final reading Ordinance No. 20-019 (Agenda #4797) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE IN ORDER TO AUTHORIZE THE CITY TREASURER TO ACCESS THE BUDGET RESERVE ACCOUNT FUNDS FOR FISCAL YEAR 2020 AND REQUIRE REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL YEAR

Council Member Guy presented a **Substitute** in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE IN ORDER TO AUTHORIZE THE CITY TREASURER TO ACCESS THE BUDGET RESERVE ACCOUNT FUNDS FOR FISCAL YEAR 2020 AND REQUIRE REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS IN THE ENSUING FISCAL YEAR

Upon a motion of Council Member Guy, seconded by Council Members Freel and Walsh, the **Substitute** Ordinance was before the Council for its consideration. Motion prevailed. Council Member Guy spoke on the purpose of the Substitute Ordinance. Council Member Harlee requested to be added as a co-sponsor.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to call the roll.

The above-referenced **Substitute** 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 Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

Council Member Guy presented and called for the first and second reading Ordinance No. 20-021 (Agenda #4801) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020, OF THE CITY OF WILMINGTON IN A PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000; PROVIDING FOR THE SALE OF THE NOTE AT PRIVATE NEGOTIATED SALE; AUTHORIZING THE CITY'S BOND COMMITTEE TO DETERMINE THE PRINCIPAL AMOUNT, INTEREST RATE, METHOD OF SALE, AND OTHER TERMS AND CONDITIONS OF THE NOTE; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY AS SECURITY FOR THE NOTE; AND AUTHORIZING OTHER NECESSARY ACTION

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

Council Member Walsh did not have any legislation to present this evening.

### **PETITIONS AND COMMUNICATIONS**

Council President and Council Members spoke on the following: while the Governor is allowing a soft opening of businesses, residents were reminded that going out in public should be for essential use only; donation of facial masks and the need for members of Council to identify the most vulnerable seniors and individuals to receive them; everyone was thanked for all their efforts and for participating in the Town Hall meeting regarding COVID-19; the various avenues of where to get information pertaining to food drives, pet food giveaways, testing sites, etc. was announced; sanitation workers and city departments were thanked for their continued services; city parks; the need to know what's being done for Wilmington's education; Digital Divide

Internet Access; announcement of laptop giveaway to Warner students and Capital One were thanked for funding; concerns of paying rent/mortgages and utility bills; unemployment; issues with seniors trying to transition into smaller housing; the need to support local businesses; second round of funding for small businesses; everyone was thanked for attending and participating in budget hearings and special thanks expressed to WITN for working out the Zoom meetings; announcement of Finance & Economic Development Committee meeting to discuss budget ordinances and possibility of a substitute ordinance for the budget to address additional cuts; the number of residents who tested positive and the need to also look at recovery; concerns of people not wearing face mask even though the Governor mandated it; primary elections pushed; it was suggested to have Town Hall via Zoom instead of LIVE; announcement of COVID-19 assessment sites; incident that occurred in Atlanta, Georgia regarding Ahmaud Arbery; and including, but not limited to, everyone was encouraged to continue to be vigilant, continue social distancing and be safe.

### ADJOURNMENT

Upon a motion of Council Member Oliver, seconded by Council Member Oliver, Council adjourned at 8:22 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk