

***Wilmington City Council
Wilmington, Delaware
February 4, 2021***

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

The opening prayer was done by Akira Grenardo, 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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon*, Spadola and Walsh, and Council President Congo. Total, thirteen.

MINUTES

After reading a portion of the minutes of January 21, 2021 upon a motion of Council Member McCoy, seconded by Council Member Walsh, it was moved they be accepted as written. Motion prevailed.

TREASURER’S REPORT

The following Treasurer’s Report for February 4, 2021 was read into the record by City Clerk and upon a motion of Council Member Cabrera, 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 2 to Page 3.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report February 04, 2021

Cash - Ledger Balance (as of 02/03/2021):

General	M & T Bank	\$ 8,375,499.00
Payroll	M & T Bank	\$ 1,410,974.67
Law Department Court Costs	M & T Bank	\$ 4,156.07
Total Petty Cash	M & T Bank	\$ 6,224.28
Police - Evidence Found (Currency)	M & T Bank	\$ 1,126,458.16
Police & Fire Rememberance	M & T Bank	\$ 7,469.49
Police Department Discretionary	M & T Bank	\$ 33,479.56
Rent Withholding Escrow	M & T Bank	\$ 4,137.97
Grant-in-Aid	M & T Bank	\$ 140,137.65
Community Development Block Grant	M & T Bank	\$ 1.00
Capital Projects	M & T Bank	\$ 1.00
Total Cash on Hand		\$ 11,108,538.85

Cash Equivalents & Investments (as of 02/03/2021):

Account Type & Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	2/3/2021	0.01%	\$ 7.98	\$ 29,124,845.62
General	TD	CD	1/25/2020	0.15%	\$ 1,575.00	\$ 7,000,000.00
General	TD	CD	1/25/2020	0.15%	\$ 3,325.00	\$ 19,000,000.00
General	TD	CD	1/25/2020	0.14%	\$ 894.44	\$ 5,000,000.00
SUB-TOTAL:						\$ 60,124,845.62
RESERVE:						
General	TD	CD	1/25/2020	0.15%	\$ 2,929.29	\$ 16,738,774.00
SUB-TOTAL						\$ 16,738,774.00
RESTRICTED:						
Capital Project	TD	CD	1/25/2020	0.15%	\$ 803.42	\$ 4,590,963.53
Capital Project	TD	CD	1/25/2020	0.15%	\$ 1,665.83	\$ 9,519,037.38
Capital Project	TD	CD	1/25/2021	0.15%	\$ 13,951.16	\$ 53,147,276.13
Water/Sewer	TD	CD	1/25/2020	0.15%	\$ 533.74	\$ 3,049,927.70
SUB-TOTAL						\$ 70,307,204.74
Total Investments						\$ 147,170,824.36
Total Cash on Hand						\$ 11,108,538.85
Grand Total						\$ 158,279,363.21

¹ Budget Reserve


DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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



Treasurer's Report (Pensions) February 4, 2021

DaWayne Sims
City Treasurer

Cash - Ledger Balance (as of 02/03/2021):

Pension Payroll	M & T Bank	\$	105,091.76
Retiree Healthcare	M & T Bank	\$	103,676.82
Police Pension	M & T Bank	\$	8,727.63
Fire Pension	M & T Bank	\$	96,641.20
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	234,001.90
Non-Uniform Pension Plan 2	M & T Bank	\$	13,380.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	563,112.12

Cash Equivalents (as of 02/03/2021) & Investments (Market Value as of January 29, 2021)

Account Type & Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Pension Plan III	WSFS	CD	2/12/2021	0.01%	\$ 4.10	\$ 527,564.73
Fire Pension	WSFS	CD	2/26/2021	0.01%	\$ 24.30	\$ 2,957,351.40
SUB-TOTAL:						\$ 3,484,916.13
RESERVE:						
Pension Trust	Edgar Lomax					\$ 23,852,507.00
Pension Trust	Vanguard Fixed					\$ 41,695,759.00
Pension Trust	Earnest Partners					\$ 32,661,452.00
Pension Trust	Wilmington Trust					\$ 41,695,759.00
Pension Trust	Vanguard Stock Index					\$ 23,518,386.00
Pension Trust	Artisan Global					\$ 11,728,736.00
Pension Trust	Dodge & Cox					\$ 12,832,086.00
Pension Trust	Fidelity					\$ 15,944,464.00
Pension Trust	Harding Loevner					\$ 12,431,558.00
Pension Trust	Vanguard Global					\$ 13,392,620.00
Pension Trust	MFS Management					\$ 27,073,205.00
Pension Trust	Clarion Lyon					\$ 9,945,863.00
Pension Trust	Money Market					\$ 705,121.00
Pension Trust	Morgan Stanley					\$ 9,510,468.00
Pension Trust	Vanguard-OPEB					\$ 40,249,072.00
SUB-TOTAL						\$ 317,237,056.00
Total Investments						\$ 320,721,972.13
Total Cash on Hand						\$ 563,112.12
Grand Total						\$ 321,285,084.25

Total Funds under Treasury Management:

Total Investments						\$ 467,892,796.49
Total Cash on Hand						\$ 11,671,650.97
Grand Total¹						\$ 479,564,447.46

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

CITY TREASURER'S OFFICE DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Josphe S. Czerwinski
All Council	Retirement Kevin F. Kelley, Sr., Parks & Recreation Director
All Council	Sympathy Damond Z. Emory
Darby	Sympathy Resolution Nahshon Archie-Eatmon
Harlee	Sympathy Robert Minor
Harlee	Recognition First Black American Females Elected in Delaware Government
McCoy	Sympathy Patricia R. Rideout
Oliver	Sympathy Robert Poynter
Oliver	Sympathy Thomas J. Smith
Spadola	Recognition for Pastor Sandra Ben of Safe United Neighborhoods (S.U.N.)
Walsh	Sympathy Edward T. Mort, Jr.
Walsh	Sympathy Michael Degnars, Sr.
Walsh	Recognition for Detective Joseph Wicks, Delaware Crime Stoppers Law Enforcement Officer of the Year Award

On behalf of the full body of Council, President Congo expressed sympathies to former Council President Hanifa Shabazz and her family for the loss of Damond Z. Emory.

*Note: Council Member Dixon was marked present during non-legislative business and reflected in the minutes herein (Roll Call).

PUBLIC COMMENT

At this time, President Congo opened up the floor for public comments and reminded individuals of the google link in the chat to sign-up to speak and of the three (3) minute time limit. The following individuals spoke:

- Nykeia Maddrey
- Renee Spruiel
- Dr. Lauren Bailes

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, Council extended the public comment period for additional thirty minutes. Motion prevailed.

Additional Speakers:

- Erin Goldner
- Shyann Miller

Council Member Cabrera invited and encouraged everyone to attend the committee meeting via Zoom on February 11 at 5:00 p.m. to provide comments as it relates to the legislation (Agenda #0018) amending Chapter 34 of the City Code pertaining to rental properties.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, Council moved to legislative business. Motion prevailed.

LEGISLATIVE BUSINESS

Council Members Gray, Darby, Oliver, Harlee** and B. Fields did not have any legislation to present this evening.

**Note: At this time, Council Member Harlee was excused from the meeting.

Council Member McCoy presented and called for the first and second reading Ordinance No. 21-002 (Agenda #0012) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE
CONTRACT 21023PR BETWEEN THE CITY OF
WILMINGTON AND FOOD MANAGEMENT SERVICES,
INC. T/A LINTONS FOOD SERVICE MANAGEMENT
FOR THE CHILD AND ADULT CARE FOOD PROGRAM

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a contract for the period of March 1, 2021 through December 31, 2021, at an estimated price of Seven Hundred Fifty-Six Thousand, Three Hundred Sixty Dollars (\$756,360.00) based upon the estimated number of meals requested and the price of \$2.40 per individual supper/dinner and \$0.90 per individual snack, with the possibility of two (2) extensions, at the option of the City.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member McCoy, seconded by Council Member Dixon, the Ordinance was received, recorded, and referred to the Education, Youth & Family Services Committee. Motion prevailed.

Council Member Johnson presented and called for the first and second reading Ordinance No. 21-003 (Agenda #0013) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF
THE CITY'S GENERAL OBLIGATION BOND, SERIES
OF 2021-SRF, IN ORDER TO PROVIDE THE FUNDS
NECESSARY FOR CAPITAL PROJECTS OF THE CITY
OF WILMINGTON

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

Council Member Johnson presented and called for the first and second reading Ordinance No. 21-004 (Agenda #0014) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN
AGREEMENT BETWEEN THE CITY OF WILMINGTON
AND THE LERRO CORPORATION FOR ON-SITE
ENGINEERING SERVICES FOR THE WITN TV STATION

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a contract for the period of March 1, 2021 through December 31, 2024, at an estimated price of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month and a total estimated price of Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00).

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

Council Member Johnson presented and called for the first and second reading Ordinance No. 21-005 (Agenda #0015) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2
TO THE FISCAL YEAR 2021 OPERATING BUDGET
(BEING AN ORDINANCE TO AMEND SUBSTITUTE
NO. 1 TO ORDINANCE NO. 21-016)

FISCAL IMPACT: The fiscal impact to the Water/Sewer Fund is an increase of \$2,500,000 in expenditures, which will be funded by utilizing the Water/Sewer Fund Rate Stabilization Reserve.

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

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

Council Member Cabrera presented and called for the first and second reading Ordinance No. 21-006 (Agenda #0018) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE
CITY CODE TO REVISE CERTAIN ENFORCEMENT
PROVISIONS AND PROVIDE CIVIL FINES FOR
OWNERS OF RENTAL PROPERTIES

FISCAL IMPACT STATEMENT: The fiscal impact as a result of the changes implemented by the Ordinance is unknown.

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

Council Members Dixon and Spadola did not have any legislation to present.

Council Member Walsh presented Resolution No. 21-010 (Agenda #0016) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the 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 City, through the Wilmington Police Department, has submitted a grant application to the State of Delaware Department of Safety and Homeland Security for funding from the Emergency Illegal Drug Enforcement program in the amount of \$30,518.40; and

WHEREAS, the proposed grant funds would be utilized to support overtime for narcotics investigations conducted by the Police Department's Drug, Organized Crime and Vice Division; and

WHEREAS, no matching funds are required; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department's grant application to the State of Delaware Department of Safety and Homeland Security in the total amount of \$30,518.40 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or 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 Walsh, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Walsh spoke on the purpose of the Resolution. Council Member Darby made comments and raised questions. Council Member Johnson made comments. Council Member Walsh made comments.

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 Gray, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh. Total, ten. Nays, Council Member Darby, and Council President Congo. Total, two. Absent, Council Member Harlee. Total, one.

President Congo declared the Resolution adopted.

Council Member Walsh presented Resolution No. 21-011 (Agenda #0017) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, the 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 City, through the Wilmington Police Department, has submitted a grant application to the State of Delaware Department of Safety and Homeland Security for funding from the State Aid to Local Law Enforcement grant program in the amount of \$56,281.62; and

WHEREAS, the Police Department proposes to use this grant funding, if awarded, to purchase twenty (20) Conducted Energy Weapons, commonly known as Tasers, to ensure that each member of the 100th Wilmington Police Academy is equipped with a new Taser to use during Academy training and following graduation; and

WHEREAS, each purchased Taser will include the device, cartridges, batteries, software, and a warranty, and will be consistent with the equipment issued to current sworn officers; and

WHEREAS, no matching funds are required; and
WHEREAS, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department's grant applications to the State of Delaware Department of Safety and Homeland Security in the total amount of \$56,281.62 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or 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 Walsh, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Walsh spoke on the purpose of the Resolution. Council Members McCoy, Darby, Gray, Johnson, Spadola, Cabrera, Dixon, B. Fields, and Oliver made comments. Council Member Darby made additional comments. President Congo made comments. Council Member Walsh made additional comments.

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 Gray, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon and Walsh. Total, nine. Nays, Council Member Darby, and Council President Congo. Total, two. Present, Council Member Spadola. Total, one. Absent, Council Member Harlee. Total, one.

President Congo declared the Resolution adopted.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: everyone was encouraged to get vaccinated for COVID-19; the H.O.M.E.S. Campaign to address the housing bill; announcement of committee meetings; upcoming I-95 project (shut down of southbound and northbound); Save-A-Lot closing on Lancaster Avenue; Black History Month; parking amnesty; condolences expressed to former Council President Hanifa Shabazz and her family for the loss of her grandson; the need to continue to get tested for COVID-19; ShopRite pharmacy closure; Governor's Office was thanked; three shootings during tonight's Council meeting; announcement of items for Committee of the Whole meeting; the public was thanked for joining in, engaging and being a part of the process; and including but not limited to, Facebook comments.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Member Walsh, Council adjourned at 8:37 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk