

*Wilmington City Council  
Wilmington, Delaware  
June 3, 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 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 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 May 20, 2021, upon a motion of Council Member Cabrera, 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:

Public Safety Committee Member	Present	Absent w/Leave	Absent w/out Leave
Loretta Walsh, Chair	YES		
Rysheema J. Dixon, Vice Chair	YES		
Linda M. Gray		YES	
Chris Johnson	YES		
James Spadola	YES		
Ernest “Trippi” Congo II, Ex-Officio	YES		

President and Members of Council of  
The City of Wilmington

May 10, 2021

Ladies and Gentlemen:

We, your Public Safety Committee by **Virtual Meeting**, to who was referred **Ordinance No. 21-022** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE  
TO PROHIBIT THE ESTABLISHMENT OF POLICE TICKET AND  
ARREST QUOTAS

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

Respectfully submitted, Members of  
Public Safety Committee

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

The City Clerk read the following committee report:

Public Safety Committee Member	Present	Absent w/Leave	Absent w/out Leave
Loretta Walsh, Chair	YES		
Rysheema J. Dixon, Vice Chair	YES		
Linda M. Gray		YES	
Chris Johnson	YES		
James Spadola	YES		
Ernest "Trippi" Congo II, Ex-Officio	YES		

President and Members of Council of  
The City of Wilmington

May 10, 2021

Ladies and Gentlemen:

We, your Public Safety Committee by **Virtual Meeting**, to who was  
referred **Ordinance No. 21-026\*** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE CONTRACT  
22009PD BETWEEN THE CITY OF WILMINGTON AND GRAVES  
UNIFORMS, LLC FOR POLICE CLOTHING

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

Respectfully submitted, Members of  
Public Safety Committee

Upon a motion of Council Member Walsh\*, seconded by Council Member  
Dixon, the Report was received, recorded, and filed. Motion prevailed.

The City Clerk read the following committee report:

Public Safety Committee Member	Present	Absent w/Leave	Absent w/out Leave
Loretta Walsh, Chair	YES		
Rysheema J. Dixon, Vice Chair	YES		
Linda M. Gray		YES	
Chris Johnson	YES		
James Spadola	YES		
Ernest "Trippi" Congo II, Ex-Officio	YES		

President and Members of Council of  
The City of Wilmington

May 10, 2021

Ladies and Gentlemen:

We, your Public Safety Committee by **Virtual Meeting**, to who was referred **Ordinance No. 21-027\*** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN  
AGREEMENT BETWEEN THE CITY OF WILMINGTON AND  
AXON ENTERPRISE, INC. FOR TASERS AND RELATED SERVICES

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

Respectfully submitted, Members of  
Public Safety Committee

Upon a motion of Council Member Walsh\*, seconded by Council Member Dixon, the Report was received, recorded, and filed. Motion prevailed.

\*Note: A point of order was made by Council Member Walsh of non-members of a committee making motion to accept committee reports, more specifically, on Ord. 21-026 and Ord. 21-027. It was duly noted, corrected and reflected herein on the above-referenced 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		
Nathan Field	Y		
Zanthia Oliver	Y		
Loretta Walsh	Y		
James Spadola	Y		
Ernest "Trippi" Congo, Ex-Officio	Y		

President and Members of Council of  
The City of Wilmington

May 17, 2021

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual Meeting**, to who was referred **Ordinance No. 21-023** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
CONTRACT BETWEEN THE CITY OF WILMINGTON AND  
PMA MANAGEMENT COPR. FOR THIRD PARTY CLAIM  
ADMINISTRATIVE SERVICES

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

Respectfully submitted, Members of  
Finance & Economic Development Committee

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

The City Clerk read the following committee report:

Public Works & Transportation Committee Member	Present	Absent w/ Leave	Absent w/out Leave
Zanthia Oliver, Chair	Y		
Loretta Walsh, Vice Chair		X	
Linda M. Gray	Y		
Nathan Field	Y		
Bregetta A. Fields	Y		
James Spadola	Y		
Ernest "Trippi" Congo II, Ex-Officio	N	N/A	N/A

President and Members of Council of  
The City of Wilmington

May 24, 2021

Ladies and Gentlemen:

We, your Public Works & Transportation Committee by **Virtual Meeting**,  
to who was referred **Ordinance No. 21-028** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE CONTRACT  
22011PW BETWEEN THE CITY OF WILMINGTON AND JAMES  
RIVER SOLUTIONS FOR GASOLINE, HEATING OIL, AND  
DIESEL FUEL

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

Respectfully submitted, Members of  
Public Works & Transportation Committee

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

### **TREASURER'S REPORT**

The following Treasurer's Report for June 3, 2021 was read into the record by City Clerk and upon a motion of Council Member Cabrera, seconded by Council Members Dixon and Walsh, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 6 to Page 7.*

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

# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report June 03, 2021

### Cash - Ledger Balance *(as of 06/02/2021)*

General	M & T Bank	\$ 8,152,988.00
Payroll	M & T Bank	\$ 1,056,037.97
Law Department Court Costs	M & T Bank	\$ 3,491.07
Total Petty Cash	M & T Bank	\$ 6,331.40
Police - Evidence Found (Currency)	M & T Bank	\$ 1,145,517.46
Police & Fire Remembrance	M & T Bank	\$ 8,444.49
Police Department Discretionary	M & T Bank	\$ 26,517.80
Rent Withholding Escrow	M & T Bank	\$ 4,137.97
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
<b>Total Cash on Hand</b>		<b>\$ 10,516,229.03</b>

### Cash Equivalents & Investments *(as of 06/02/2021)*

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo**	6/3/2021	0.01%	\$ 4.80	\$ 15,644,264.90
General	TD	High Yield Checking	14	0.08%*	\$ 591.38	\$ 19,008,536.54
General	TD	High Yield Checking	14	0.08%*	\$ 155.63	\$ 5,002,265.91
General	TD	High Yield Checking	14	0.08%*	\$ 178.28	\$ 6,171,252.15
<b>SUB-TOTAL:</b>						<b>\$ 45,826,319.50</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	High Yield Checking	14	0.08%*	\$ 508.72	\$ 16,351,802.12
<b>SUB-TOTAL</b>						<b>\$ 16,351,802.12</b>
<b>RESTRICTED:</b>						
Capital Project	TD	High Yield Checking	14	0.08%*	\$ 142.89	\$ 4,593,026.21
Capital Project	TD	High Yield Checking	14	0.08%*	\$ 296.28	\$ 9,523,314.20
Capital Project	TD	High Yield Checking	14	0.08%*	\$ 1,654.36	\$ 53,175,806.34
Water/Sewer	TD	High Yield Checking	14	0.08%*	\$ 101.93	\$ 3,276,389.66
<b>SUB-TOTAL</b>						<b>\$ 70,568,536.41</b>
<b>Total Investments</b>						<b>\$ 132,746,658.03</b>
<b>Total Cash on Hand</b>						<b>\$ 10,516,229.03</b>
<b>Grand Total</b>						<b>\$ 143,262,887.06</b>

<sup>1</sup> Budget Reserve

\* Rate change effective 04/01/2021

\*\* \$7m Liquidity Funds moved to General

CITY TREASURER'S OFFICE

DaWayne Sims, City Treasurer

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

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# City of Wilmington



## Treasurer's Report (Pensions)

June 3, 2021

**DaWayne Sims**  
City Treasurer

Cash - Ledger Balance (as of 06/02/2021):

Pension Payroll	M & T Bank	\$	219,612.71
Retiree Healthcare	M & T Bank	\$	180,778.04
Police Pension	M & T Bank	\$	320,824.93
Fire Pension	M & T Bank	\$	3,149,831.57
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	17,754.31
Non-Uniform Pension Plan 2	M & T Bank	\$	1,500.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
<b>Total Cash on Hand</b>		<b>\$</b>	<b>3,891,894.37</b>

Cash Equivalents (as of 06/02/2021) & Investments (Market Value as of May 28, 2021)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Pension Plan III	WSFS	CD	6/12/2021	0.05%	\$ 21.68	\$ 527,616.48
Fire Pension	WSFS	CD	6/27/2021	0.05%	\$ 61.12	\$ 1,487,421.30
<b>SUB-TOTAL:</b>						<b>\$ 2,015,037.78</b>
<b>RESERVE:</b>						
Pension Trust	Edgar Lomax					\$ 27,913,222.00
Pension Trust	Vanguard Fixed					\$ 42,085,272.00
Pension Trust	Earnest Partners					\$ 37,127,737.00
Pension Trust	Wilmington Trust					\$ 43,495,047.00
Pension Trust	Vanguard Stock Index					\$ 21,428,354.00
Pension Trust	Artisan Global					\$ 12,495,341.00
Pension Trust	Dodge & Cox					\$ 15,699,863.00
Pension Trust	Fidelity					\$ 17,496,290.00
Pension Trust	Harding Loevner					\$ 13,402,690.00
Pension Trust	Vanguard Global					\$ 14,223,513.00
Pension Trust	MFS Management					\$ 29,586,673.00
Pension Trust	Clarion Lyon					\$ 10,000,686.00
Pension Trust	Money Market					\$ 855,886.00
Pension Trust	Morgan Stanley					\$ 9,597,820.00
Pension Trust	Vanguard-OPEB					\$ 31,257,412.00
<b>SUB-TOTAL</b>						<b>\$ 326,665,806.00</b>
<b>Total Investments</b>						<b>\$ 328,680,843.78</b>
<b>Total Cash on Hand</b>						<b>\$ 3,891,894.37</b>
<b>Grand Total</b>						<b>\$ 332,572,738.15</b>

Total Funds under Treasury Management:

<b>Total Investments</b>						<b>\$ 461,427,501.81</b>
<b>Total Cash on Hand</b>						<b>\$ 14,408,123.40</b>
<b>Grand Total<sup>1</sup></b>						<b>\$ 475,835,625.21</b>

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

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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## **NON-LEGISLATIVE BUSINESS**

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

All Council	Recognize National Association for Black Veterans
Cabrera	Recognize Caribbean Heritage Month
Dixon	Recognize National Gun Violence Awareness Day
Dixon	Recognize ReManned Project Day
Oliver	Sympathy Dawayne Smith
Oliver	Sympathy Sheila Hale
Oliver	Sympathy Elsie Lavonne Steward
Oliver	Recognize Catalyst for Change, Incorporated Girls with Pearls

## **PUBLIC COMMENTS**

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

- Nate Durant
- Shyanne Miller
- Anwar Qasim
- Kristina Kelly
- Yejoon Koh

## **LEGISLATIVE BUSINESS**

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

Council Member Darby presented and called for the first and second reading Ordinance No. 21-029 (Agenda #0064) entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING THE ELIMINATION OF  
PRE-EMPLOYMENT DRUG SCREENING FOR NON-  
SAFETY SENSITIVE POSITIONS

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

Council Member Darby presented and called for the first and second reading Ordinance No. 21-030 (Agenda #0065) entitled:



AN ORDINANCE TO PROHIBIT THE OUTDOOR  
ADVERTISING OF ALCOHOL AND TOBACCO  
PRODUCTS

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

Council Member Darby presented Resolution No. 21-031 (Agenda #0066) as follows:

**WHEREAS**, for more than 50 years American police officers have been afforded a special layer of employee protections when faced with investigations for official misconduct. This special layer of protection is commonly referred to as the Law Enforcement Officers' Bill of Rights (LEOBOR); and

**WHEREAS**, these protections currently exist within fourteen states, including the State of Delaware. Each state has different statutes. The protections granted to police officers are more specific than those provided to other public employees in federal, state, or local civil service laws; and

**WHEREAS**, the Law Enforcement Bill of Rights is intended to protect American law enforcement personnel from investigation and prosecution arising from conduct during official performance of their duties, and provides them with additional privileges based on due process than those normally provided to other citizens or professional fields; and

**WHEREAS**, the Delaware General Assembly passed legislation entitled Title 11: Crimes and Criminal Procedure, Victims of Crimes, Chapter 92. Law Enforcement Officers' Bill of Rights, in 1974 incorporating the Law into the Delaware State Code; and

**WHEREAS**, due to a number of provisions in the Delaware Law Enforcement Officers' Bill of Rights for Police Departments in municipalities and towns throughout the State including the City of Wilmington, the lack of transparency and accountability for police officers and departments have become preeminent issues for many in the communities these police officers are charged to serve and protect; and

**WHEREAS**, the Delaware LEOBOR includes provisions that prevents public access to Officer and Police Department reports on deadly use of force incidents including when guns are fired and prevents access by legal counsel of defendants to receive internal affairs investigation records of law enforcement officers accused of wrongdoing. It also ensures that all records compiled as a result of an investigation or contractual disciplinary grievance procedure remain confidential and "shall not be released to the public," and that complaints made by other citizens on police actions are confidential and are not to be released to the public. Police Departments cannot publicly acknowledge that an officer is under investigation or that charges are dropped nor

publicly acknowledge that the investigation ever took place or reveal the nature of the complaint; and

**WHEREAS**, in Delaware based on a report conducted by WHYY from 2005 to 2020, Delaware police have shot 56 people, killing 30 of them. Nearly half of those shot, 48%, were Black in a state whose population is 22% Black, demonstrating a clear overrepresentation of Blacks in victims of police shootings; and

**WHEREAS**, no officers in Delaware have been charged with a crime — even in instances where their use of deadly force has been questioned by state prosecutors, members of the public, and lawyers for the people shot. There are compelling reasons to be concerned that the Law Enforcement Officers’ Bill of Rights may be providing protections that are not warranted in a democratic society that is based on the rule of law.

**NOW, THEREFORE, BE IT RESOLVED BY THE WILMINGTON CITY COUNCIL** that this Council strongly recommends that the Delaware General Assembly support Senate Bill 149, repeal the Delaware Law Enforcement Officers’ Bill of Rights and amend Title 11 of the Delaware Code to establish greater transparency and accountability for Police Officers and Police Departments with all citizens in Wilmington and in Delaware without respect to race, ethnicity, religion, gender, socio-economic status, geographic location, and/or prior criminal records.

Upon a motion of Council Member Darby, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Darby spoke on the purpose of the Resolution and made comments. Council Member Johnson raised a question and Council Member Darby responded. Council Member Johnson made comments and requested to be added as a co-sponsor. Council Members Gray, Harlee and Walsh made comments. Council Member Dixon requested to be added as a co-sponsor. Council Member McCoy requested to be added as co-sponsor and made comments. Council Member Johnson made additional comments. Council Member Oliver made comments and requested to be added as a co-sponsor. Council Member Gray made additional comments. Council Member Spadola made comments. President Congo made comments. Council Member Harlee made additional comments. Council Member Darby made final comments.

President Congo requested the Clerk to call for 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 Gray, Darby Oliver, Harlee, B. Fields, McCoy, Johnson, Cabrera and Dixon, and Council President Congo. Total, ten. Present, Council Member N. Field. Total, one. Nays, Council Members Spadola and Walsh. Total, two.

President Congo declared the Resolution adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 21-028 (Agenda #0062) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE  
CONTRACT 22011PW BETWEEN THE CITY OF  
WILMINGTON AND JAMES RIVER SOLUTIONS  
FOR GASOLINE, HEATING OIL, AND DIESEL FUEL

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a contract for the period from July 1, 2021 through June 30, 2022, at an estimated price of Nine Hundred Ninety-Eight Thousand, Five Hundred Fifty Eight Dollars and Fifty Cents (\$998,558.50), with the possibility of two (2) additional extensions of one (1) year thereafter at the same estimated annual price for each extension, at the option of the City.

Upon a motion of Council Member Oliver, seconded by Council Members Walsh and Dixon, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance.

President Congo requested the Clerk to call for 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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Ordinance adopted.

Council Member Oliver presented and called for the first and second reading Ordinance No. 21-031 (Agenda #0067) entitled:

AN ORDINANCE TO REZONE THE PARCEL OF  
LAND LOCATED AT 3001 BOWERS STREET  
FROM A ZONING CLASSIFICATION OF M-1  
(LIGHT MANUFACTURING) TO A ZONING  
CLASSIFICATION OF R-3 (ONE-FAMILY ROW  
HOUSES)

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.

Council Member Oliver presented and called for the first and second reading Ordinance No. 21-032 (Agenda #0068) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF  
MENDENHALL COURT FROM THE OFFICIAL  
CITY MAP

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

Council Member Oliver presented Resolution No. 21-032 (Agenda #0069) as follows:

**WHEREAS**, the City's comprehensive development plan entitled "Wilmington 2028: A Comprehensive Plan for Our City and Communities" (the "Comprehensive Plan") was adopted by City Council on December 12, 2019; and

WHEREAS, at its meeting on May 18, 2021, the City Planning Commission, by its Resolution 2-21, recommended an amendment to the Comprehensive Plan; and

**WHEREAS**, the provisions of Wilmington City Charter Section 5-600(a) require that a duly advertised public hearing be held by City Council prior to the adoption of modifications to the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby schedules a public hearing to be held on July 1, 2021 at 6:30 p.m. consider the proposed amendment to the Comprehensive Plan.

**BE IT FURTHER RESOLVED** that due to the outbreak of the COVID-19 virus, this public hearing will be conducted virtually to maintain social distancing and to keep all constituents safe. The instructions to access the public hearing will be included on the agenda for the July 1, 2021 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 Oliver, seconded by Council Members B. Fields and Gray, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution.

At this time, President Congo requested the Clerk to call for 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 Gray, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution adopted.

Council Member Oliver presented Resolution No. 21-033 (Agenda #0070) as follows:

**WHEREAS**, contemporaneously with this Resolution, an ordinance will be introduced before Wilmington City Council that proposes amendments to the “Building Zone Map of Wilmington, Delaware” to change the zoning classification of 3001 Bowers Street, Wilmington, Delaware (being Tax Parcel No. 26-030.00-030) from a zoning classification of M-1 (Light Manufacturing) to a zoning classification of R-3 (One-Family Row Houses) (the “Ordinance”); and

**WHEREAS**, at its May 18, 2021 regular meeting, the City Planning Commission, by its Resolution 3-21, recommended the approval of the rezoning proposed in the Ordinance after holding a duly advertised public hearing; and

**WHEREAS**, City Council proposes to schedule a public hearing for review of the proposed rezoning Ordinance, or a substitute thereto, to be duly advertised in conformity with Wilmington 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 said proposed rezoning Ordinance, or a substitute thereto, to be held on July 1, 2021 at 6:30 p.m., to consider the proposal to rezone the land described in the proposed Ordinance, 3001 Bowers Street, Wilmington, Delaware (being Tax Parcel No. 26-030.00-030), from a zoning classification of M-1 (Light Manufacturing) to a zoning classification of R-3 (One-Family Row Houses).

**BE IT FURTHER RESOLVED** that due to the outbreak of the COVID-19 virus, this public hearing will be conducted virtually to maintain social distancing and to keep all constituents safe. The instructions to access the public hearing will be included on the agenda for the July 1, 2021 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 Oliver, seconded by Council Members B. Fields, Walsh and McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution.

At this time, President Congo requested the Clerk to call for 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 Gray, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field,

Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution adopted.

Council Member Oliver presented Resolution No. 21-034 (Agenda #0071) as follows:

**WHEREAS**, pursuant to Wilmington Charter Section 8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way, or other interest over or in such real estate with authority by general ordinance and later resolution from Council to do so; and

**WHEREAS**, City Code Section 2-626 provides that the Department of Public Works shall have the authority to grant licenses, easements, and/or rights-of-way as shall be necessary for the construction, installation, maintenance, repair, operation, and inspection of utilities, subject to the approval of City Council by resolution; and

**WHEREAS**, on September 19, 1996, City Council passed a resolution approving a license agreement (the "License Agreement") between the City and AT&T Wireless of Philadelphia, L.L.C. ("AT&T") which permitted AT&T to install and operate communications antennas and related equipment on and about the City's water tower (the "Tower") located at or near New Castle Avenue, Route 9, Wilmington, Delaware 19720, sometimes referred to as Paper Place; and

**WHEREAS**, New Cingular Wireless PCS, LLC ("New Cingular") is the successor-in-interest to AT&T with respect to the License Agreement; and

**WHEREAS**, on August 28, 2008, City Council passed a resolution approving the First Amendment to the License Agreement ("First Amendment") which amended the License Agreement and extended its term until December 8, 2011; and

**WHEREAS**, on November 17, 2011, City Council passed a resolution approving the Second Amendment to the License Agreement ("Second Amendment") which amended the License Agreement and extended its term until December 8, 2021; and

**WHEREAS**, the License Agreement, as amended, is set to expire on December 8, 2021; and

**WHEREAS**, the parties desire to enter a Third Amendment to the License Agreement (a copy of the amendment, in substantial form, is attached hereto as Exhibit "A") to: (1) extend the term of the License Agreement for three (3) additional terms of five (5) years each commencing on December 9, 2021 at the option of New Cingular; and (2) increase the license fee payable by New Cingular to the City under the License Agreement to \$48,380.88 annually for the year commencing on December 9, 2021, with an increase of three percent (3%) annually for each year thereafter.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby authorizes and approves the

“Third Amendment to License Agreement” between the City of Wilmington and New Cingular Wireless PCS, LLC, a copy of which, in substantial form, is attached hereto as Exhibit “A”, and the Commissioner of Public Works, or her designee, is hereby authorized to execute as many copies of said “Third Amendment to License Agreement” as may be necessary.

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

At this time, President Congo requested the Clerk to call for 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 Gray, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution adopted.

Council Member Oliver presented Resolution No. 21-035 (Agenda #0072) as follows:

**WHEREAS**, pursuant to Wilmington Charter Section 8-205, the City may sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way, or other interest over or in such real estate with authority by general ordinance and later resolution from Council to do so; and

**WHEREAS**, City Code Section 2-626 provides that the Department of Public Works shall have the authority to grant licenses, easements, and/or rights-of-way as shall be necessary for the construction, installation, maintenance, repair, operation, and inspection of utilities, subject to the approval of City Council by resolution; and

**WHEREAS**, the City desires to provide Delmarva Power & Light Company (“Delmarva”) with a certain utility easement over and across that certain portion of City-owned land known as Brandywine Zoo, having an address of 1001 N. Park Drive, Wilmington, DE 19802 (being Tax Parcel No. 26-013.40-075), in connection with Delmarva’s installation, operation, maintenance, and/or removal of a pad-mounted transformer to serve the Brandywine Zoo’s future quarantine facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby authorizes and approves the granting of a certain utility easement over and across that certain portion of land known as the Brandywine Zoo, having an address of 1001 N. Park Drive, Wilmington, DE 19802 (being Tax Parcel No. 26-013.40-075), in accordance with the “Utility Easement Agreement” between the City of Wilmington and Delmarva Power & Light Company, a

copy of which, in substantial form, is attached hereto as Exhibit “A” and incorporated herein.

**BE IT FURTHER RESOLVED** that the Council authorizes the Department of Public Works to execute any and all documents necessary to effectuate the granting of such utility easement in connection with Delmarva Power & Light Company’s installation, operation, maintenance, and/or removal of a pad-mounted transformer to serve the Brandywine Zoo’s future quarantine facility.

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

At this time, President Congo requested the Clerk to call for 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 Gray, Darby, Oliver, Harlee, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, twelve. Absent, Council Member B. Fields. Total, one. Nays, none.

President Congo declared the Resolution adopted.

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

Council Member Johnson presented and called for the third and final reading Ordinance No. 21-023 (Agenda #0055) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A  
CONTRACT BETWEEN THE CITY OF WLMINGTON  
AND PMA MANAGEMENT CORP. FOR THIRD PARTY  
CLAIM ADMINISTRATIVE SERVICES

**SYNOPSIS AND FISCAL IMPACT STATEMENT:** This Ordinance authorizes the execution of an agreement between the City of Wilmington and PMA Management Corporation (“PMA”). PMA will provide third party claim administrative services to the City for a period of one (1) year, with three available extensions of one year each by mutual consent of the parties. The City will pay PMA a fee of \$206,250, allocated and billed separately as \$90,750 for workers’ compensation, and \$115,500 for claims other than workers’ compensation, for the first year of this Agreement. For the second through fourth years, if extensions occur, the City will pay PMA a fee of \$212,035, allocated and billed separately as \$93,475 for workers’ compensation claims, and \$118,560 for claims other than workers’ compensation.



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

At this time, President Congo requested the Clerk call for 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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Ordinance adopted.

Council Member Johnson presented and called for the first and second reading Ordinance No. 21-033 (Agenda #0073) entitled:

AN ORDINANCE TO AMEND CHAPTERS 2, 39,  
AND 40 OF THE CITY CODE TO CHANGE THE  
POSITION OF CITY PHYSICIAN TO CITY  
MEDICAL PROVIDER

**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 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. 21-034 (Agenda #0074) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN  
AGREEMENT (CONTRACT 22017HRPS) BETWEEN  
THE CITY OF WILMINGTON AND JACKIE JOE LINDO,  
DPN, APRN, FNP-C FOR MEDICAL PROVIDER SERVICES

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a contract for the period of two (2) years from July 1, 2021 through June 30, 2023, at an estimated price of Ninety-Nine Thousand One Hundred Fifty Dollars (\$99,150.00) per year, with the possibility of three (3) one-year extensions thereafter with a maximum potential five percent (5%) price increase with each such extension, at the mutual option of the parties.

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 Resolution No. 21-036 (Agenda #0075) as follows:

**WHEREAS**, the coronavirus disease 2019 (“COVID-19”) has taken an unprecedented public health and economic toll on communities across the United States; and

**WHEREAS**, amid this once-in-a-century crisis, local governments have been called on to respond at an immense scale; and

**WHEREAS**, although the pandemic’s impacts have been widespread, both the public health and economic impacts of the pandemic have fallen most severely on communities and populations that were already disadvantaged before it began; and

**WHEREAS**, low-income communities, people of color, and Tribal communities have faced higher rates of infection, hospitalization, and death, as well as higher rates of unemployment; and

**WHEREAS**, pre-existing social vulnerabilities magnified the pandemic in low-income communities, and among people of color, where a reduced ability to work from home and, frequently, denser housing amplified the risk of infection; and

**WHEREAS**, communities or households facing economic insecurity before the pandemic were less able to weather business closures, job losses, or declines in earnings and were less able to participate in remote work or education due to the inequities in access to reliable and affordable infrastructure; and

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act (the “ARPA”) was signed into law by the President of the United States; and

**WHEREAS**, Section 9901 of the ARPA amended Title VI of the Social Security Act to add section 603, which establishes the Coronavirus Local Fiscal Recovery Fund; and

**WHEREAS**, the Coronavirus Local Fiscal Recovery Fund is intended to provide support to local governments in responding to the impact of COVID-19, and in the efforts of local governments to contain COVID-19 in their communities; and

**WHEREAS**, the City, as a designated metropolitan city, will receive \$55,345,780.00 of the Coronavirus Local Fiscal Recovery Fund from the United States Treasury (the “Fiscal Recovery Funds”); and

**WHEREAS**, the Fiscal Recovery Funds will be sent to the City in two equal payments, the first to arrive in May 2021, and the second approximately one year after receipt of the first payment; and

**WHEREAS**, the ARPA provides a substantial infusion of resources to meet pandemic response needs and rebuild a stronger, more equitable economy as the country recovers; and

**WHEREAS**, Section 603(c)(1) of the amended Title VI of the Social Security Act provides that the Fiscal Recovery Funds may be used:

- a. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- b. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- c. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- d. To make necessary investments in water, sewer, or broadband infrastructure; and

**WHEREAS**, the Fiscal Recovery Funds lay the foundation for a strong, equitable economic recovery, not only by providing immediate economic stabilization for households and businesses, but also by addressing the systemic public health and economic challenges that may have contributed to more severe impacts of the pandemic among low-income communities and people of color.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City's receipt of the Fiscal Recovery Funds from the United States Treasury is hereby authorized.

**BE IT FURTHER RESOLVED** that the City is authorized to use the Fiscal Recovery Funds in accordance with Section 603(c)(1) of the amended Title VI of the Social Security Act.

**BE IT FURTHER RESOLVED** that the City Administration shall provide to City Council's Finance and Economic Development Committee (the "Finance Committee") a monthly report regarding all grants that are allocated from the Fiscal Recovery Funds containing the following information:

1. The name of the entity that will receive the Fiscal Recovery Funds (the "Recipient");
2. The amount of the Fiscal Recovery Funds that the Recipient will receive;
3. The purpose for which the Recipient will use the Fiscal Recovery Funds;

4. The approximate date upon which the City will disburse the Fiscal Recovery Funds to the Recipient;
5. A running balance of the Fiscal Recovery Funds; and
6. Any expenditure of the Fiscal Recovery Funds that has been authorized.

**BE IT FURTHER RESOLVED** that the City Administration shall provide written or email notification to City Council prior to the disbursement or allocation of any Fiscal Recovery Funds.

**BE IT FURTHER RESOLVED** that the City Treasurer shall provide an update at the monthly Finance Committee meetings, either in writing or in person, regarding the cash balance of the Fiscal Recovery Funds.

**BE IT FURTHER RESOLVED** that the City Administration shall post a running update to display expenditures of and the available balance of the Fiscal Recovery Funds on the City's website, which may be accessed through the OpenGov portal.

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

At this time, President Congo requested the Clerk call for 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 Gray, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution adopted.

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. 21-035 (Agenda #0076) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE  
CITY CODE TO REVISE THE TIMING OF APPEALS  
RELATED TO RENTAL DWELLINGS

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

Council Member Dixon presented Resolution No. 21-037 (Agenda #0077) as follows:

**WHEREAS**, the COVID-19 pandemic continues to ravage the social, economic and political landscape of the city of Wilmington and its impact has not yet been fully determined or realized. However, the lack of cohesion and dismantling of previous systems of support for vulnerable populations, including senior citizens, are pronounced and impactful; and

**WHEREAS**, City Council recognizes the importance of older Wilmingtonians and organizations and agencies that serve them. Senior citizens in this context are defined as people ages 62 and up; and

**WHEREAS**, healthy aging is much more than the presence or absence of disease and disability. The World Health Organization defines active aging as “the process of optimizing opportunities for health, participation, and security in order to enhance quality of life as people age”; and

**WHEREAS**, many agencies and organizations provide supports and services for senior citizens, there lacks a single entity focused on enhancing communication between and collaboration among senior-serving entities in Wilmington; and

**WHEREAS**, the Health, Aging and Disabilities Committee is a standing committee of the Wilmington City Council. The current chair of the committee seeks to develop a vehicle to empower, direct and connect senior-serving organizations in Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that a Healthy Aging Subcommittee shall be established and serve as a subcommittee of the Health, Aging & Disabilities committee.

**BE IT FURTHER RESOLVED**, the Commission shall be composed of Wilmington residents and Wilmington-based senior-serving organizations, agencies and issue area experts who have demonstrated an interest or expertise in promoting opportunities, services, equity and inclusion for senior citizens within city limits. The members shall hold no other public office or paid public employment. The Health Aging & Disabilities chair shall appoint eleven commission members and designate two co-chairpersons.

**BE IT FURTHER RESOLVED**, the Subcommittee shall meet monthly with additional meetings as it deems necessary to properly perform its duties. All meetings must adhere to FOIA guidelines.

**BE IT FURTHER RESOLVED**, the duties of the Subcommittee are to make policy recommendations, identify the needs of seniors and whether those needs are being fulfilled by existing initiatives, recommend nominees to the Wilmington Health Planning Council.

**BE IT FURTHER RESOLVED**, the Subcommittee shall report on its work, findings and recommendations to the Health, Aging & Disabilities Committee on a quarterly basis. The subcommittee's first report to the Health, Aging & Disabilities Committee must occur within 180 days of its appointment. The subcommittee is responsible for responding to FOIA requests and for creating and submitting minutes and reports and all other tasks as required by public committees that serve in this capacity.

Upon a motion of Council Member Dixon, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Dixon spoke on the purpose of the Resolution and made comments. Council Members Harlee, B. Fields, Oliver, McCoy and Walsh made comments. Council Member Johnson made comments and raised a question. Council Member Harlee made additional comments. Council Members Gray, Darby and Cabrera made comments. Council Members McCoy, B. Fields and Oliver made additional comments. President Congo made comments. Council Member Dixon made final comments.

At this time, President Congo requested the Clerk to call for 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 Gray, Darby, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon and Spadola, and Council President Congo. Total, eleven. Nays, Council Members Oliver and Walsh. Total, two.

President Congo declared the Resolution adopted.

Council Member Spadola **held** Ordinance No. 21-022 (Agenda #0049) until the next meeting.

Council Member Walsh presented Resolution No. 21-038 (Agenda #0078) 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 Special Law Enforcement Assistance Fund ("SLEAF") in the total amount of \$123,000; and

**WHEREAS**, proposed grant funding in the amount of \$80,000 would be used to replace two (2) Unmanned Aerial Vehicles, including batteries, accessories and warranties, to be utilized by the Forensic Services Unit in connection with investigations and special events; and

**WHEREAS**, proposed grant funding in the amount of \$13,000 would be used to upgrade an existing vehicle in the Police Department's fleet that would be capable of transporting Unmanned Aerial Vehicles and related supplies and equipment; and

**WHEREAS**, proposed grant funding in the amount of \$5,500 would be used to upgrade X-Ray equipment used by the Explosive Ordnance Disposal team, in connection with investigations regarding suspicious packages and explosive devices; and

**WHEREAS**, proposed grant funding in the amount of \$24,500 would be used to replace ten (10) existing radar units used in connection with traffic and speed enforcement; and

**WHEREAS**, the proposed grant funds would enhance investigative capabilities, support the safety of the public and officers related to suspicious packages and explosives investigations, and support traffic and speed enforcement operations conducted in connection with traffic studies and requests from the community to enhance driver, cyclist, and pedestrian safety; and

**WHEREAS**, these grant funds would cover expenses that would otherwise have to be covered by the Police Department's annual budget, continuing the Wilmington Police Department's efforts to identify funding opportunities to offset increases to the City budget; 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 in the total amount of \$123,000 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 Members Dixon and B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Walsh spoke on the purpose of the Resolution. Council Member Gray raised questions and Council Member Walsh responded. Council Member Gray made comments.

At this time, President Congo requested the Clerk to call for 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 Gray, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, twelve. Nays, Council Member Darby. Total, one.

President Congo declared the Resolution adopted.

Council Member Walsh presented and called for the third and final reading Ordinance No. 21-026 (Agenda #0060) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE  
CONTRACT 22009PD BETWEEN THE CITY OF  
WILMINGTON AND GRAVES UNIFORMS, LLC  
FOR POLICE CLOTHING

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a contract for the period from July 1, 2021 through June 30, 2022, at an estimated price of Ninety-Nine Thousand, Thirty-Eight Dollars and Fifty Cents (\$99,038.50), with the possibility of two (2) additional extensions of one (1) year thereafter at the same estimated annual price for each extension, at the option of the City.

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

At this time, President Congo requested the Clerk to call for 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, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, twelve. Nays, Council Member Darby. Total, one.

President Congo declared the Ordinance adopted.

Council Member Walsh presented and called for the third and final reading Ordinance No. 21-027 (Agenda #0061) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN  
AGREEMENT BETWEEN THE CITY OF WILMINGTON  
AND AXON ENTERPRISE, INC. FOR TASERS AND  
RELATED SERVICES



**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is an Agreement for the period of five (5) years at a total estimated price of One Million, Forty-Three Thousand, Four Hundred Sixty-Five Dollars and Twelve Cents (\$1,043,465.12), payment of which will be divided over the term of the Agreement.

Upon a motion of Council Member Walsh, seconded by Council Member Dixon, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Walsh spoke on the purpose of the Ordinance and made comments. Council Member Oliver made comments.

At this time, President Congo requested the Clerk to call for 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, B. Fields, McCoy, Johnson, N. Field, Cabrera, Dixon, Spadola and Walsh, and Council President Congo. Total, twelve. Nays, Council Member Darby. Total, one.

President Congo declared the Ordinance adopted.

#### **PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: gun violence and the incident involving three officers being shot; the need to work with police as well as the need for the Criminal Justice System to help the City; announcements of community events throughout the city; announcement of Community Development & Urban Planning Committee meeting; the upcoming 4<sup>th</sup> of July and the need for the Fire Department to speak at the next Public Safety Committee as it relates to regulations and safety around fireworks; incentives for individuals to get vaccinated (State of Delaware – DEWINS.org); individuals were thanked for the various events; announcement of Summer camps; prison system and the need for a lot of change in the criminal justice system; federal program for housing funds; and including but not limited, the Wilmington Police Department were thanked for keeping the city safe and the need to reach out to the residents in the building for which the shooting incident occurred to provide resources (vouchers for housing) and trauma care to those individuals. Thoughts and prayer were expressed for the police officers as well as the families of both sides.

#### **ADJOURNMENT**

Upon a motion of Council Member Cabrera , seconded by Council Members Fields, McCoy and Dixon, Council adjourned at 9:23 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk