

*Wilmington City Council
Wilmington, Delaware
September 16, 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 September 2, 2021, upon a motion of Council Member Cabrera, seconded by Council Member McCoy, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
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

September 7, 2021

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual Meeting with anchor location**, to who was referred **Ordinance No. 21-041** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A LICENSE
AGREEMENT BETWEEN THE CITY OF WILMINGTON AND
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, 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 Johnson, seconded by Council
Members Gray and McCoy, the Report was received, recorded and filed. Motion
prevailed.

The City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
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

September 7, 2021

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual
Meeting with anchor location**, to who was referred **Ordinance No. 21-042** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A DISCOUNT
DISPOSAL FEE AGREEMENT BETWEEN THE CITY OF
WILMINGTON AND THE DELAWARE SOLID WASTE
AUTHORITY

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

Respectfully submitted, Members of
Finance & Economic Development Committee

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

The 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

September 7, 2021

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual Meeting with anchor location**, to who was referred **Ordinance No. 21-044** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
TO REQUIRE ANNUAL ETHICS TRAINING AND TO REVISE
THE PROCEDURE TO AMEND THE CITY ETHICS
REQUIREMENTS

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 Cabrera, seconded by Council Member Johnson, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

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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

September 7, 2021

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual Meeting with anchor location**, to who was referred **Ordinance No. 21-045** entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY CODE TO CHANGE THE OBSERVANCE OF VETERANS' DAY AS A PAID HOLIDAY FOR ELIGIBLE CITY EMPLOYEES TO THE ELEVENTH DAY OF NOVEMBER

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

Respectfully submitted, Members of
Finance & Economic Development Committee

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

TREASURER'S REPORT

The following Treasurer's Report for September 16, 2021 was read into the record by City Clerk and upon a motion of Council Member Cabrera, seconded by Council Member Gray, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 6.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report

October 07, 2021

Cash - Ledger Balance (as of 10/06/2021):

General	M & T Bank	\$ 8,326,299.00
Payroll	M & T Bank	\$ 1,259,984.52
Law Department Court Costs	M & T Bank	\$ 4,438.07
Total Petty Cash	M & T Bank	\$ 6,284.22
Police - Evidence Found (Currency)	M & T Bank	\$ 1,182,148.25
Police & Fire Remembrance	M & T Bank	\$ 8,444.49
Police Department Discretionary	M & T Bank	\$ 19,108.35
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
Total Cash on Hand		\$ 10,923,607.74

Cash Equivalents & Investments (as of 10/06/2021):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	0.01%	\$ 21.69	\$ 25,352,186.54
General	TD	ARPA funds*	1	0.08%	\$ 61.50	\$ 27,672,890.21
General	TD	High Yield Checking**	1	0.08%	\$ 55.56	\$ 25,000,000.00
General	TD	High Yield Checking	6	0.08%	\$ 253.52	\$ 19,013,985.12
General	TD	High Yield Checking	6	0.08%	\$ 66.72	\$ 5,003,754.58
General	TD	High Yield Checking	6	0.10%	\$ 102.97	\$ 6,177,956.93
SUB-TOTAL:						\$ 108,220,773.38
RESERVE:						
General ¹	TD	High Yield Checking	6	0.08%	\$ 218.09	\$ 16,356,668.38
SUB-TOTAL						\$ 16,356,668.38
RESTRICTED:						
Capital Project	TD	High Yield Checking	6	0.08%	\$ 50.59	\$ 3,794,516.36
Capital Project	TD	High Yield Checking	6	0.08%	\$ 89.20	\$ 6,690,056.86
Capital Project	TD	High Yield Checking	6	0.08%	\$ 550.81	\$ 41,310,522.86
Water/Sewer	TD	High Yield Checking	6	0.08%	\$ 43.68	\$ 3,276,364.37
SUB-TOTAL						\$ 55,071,460.45
Total Investments						\$ 179,648,902.21
Total Cash on Hand						\$ 10,923,607.74
Grand Total						\$ 190,572,509.95

¹ Budget Reserve

*Restricted use per ARPA US Treasury Guidelines

**Excess funds moved to Investment

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) October 7, 2021

DaWayne Sims
City Treasurer

Cash - Ledger Balance (as of 10/06/2021):

Pension Payroll	M & T Bank	\$	351,097.18
Retiree Healthcare	M & T Bank	\$	117,753.18
Police Pension	M & T Bank	\$	19,605.21
Fire Pension	M & T Bank	\$	17,310.95
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	326,294.56
Non-Uniform Pension Plan 2	M & T Bank	\$	1,500.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	835,153.89

Cash Equivalents (as of 10/06/2021) & Investments (Market Value as of October 01, 2021)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Pension Plan III	WSFS	CD	10/25/2021	0.01%	\$ 7.50	\$ 883,871.48
Fire Pension	WSFS	CD	10/25/2021	0.01%	\$ 12.40	\$ 1,459,893.53
SUB-TOTAL:						\$ 2,343,765.01
RESERVE:						
Pension Trust	Edgar Lomax					\$ 27,961,209.00
Pension Trust	Vanguard Fixed					\$ 42,640,432.00
Pension Trust	Earnest Partners					\$ 37,991,375.00
Pension Trust	Wilmington Trust					\$ 44,148,317.00
Pension Trust	Vanguard Stock Index					\$ 16,322,221.00
Pension Trust	Artisan Global					\$ 15,161,127.00
Pension Trust	Dodge & Cox					\$ 15,262,405.00
Pension Trust	Fidelity Market Index					\$ 1,600,000.00
Pension Trust	Fidelity Total Intl. Index					\$ 5,000,000.00
Pension Trust	Fidelity Emerging Market					\$ 4,500,000.00
Pension Trust	Fidelity Bond Index					\$ 1,100,000.00
Pension Trust	AB Global Core					\$ 15,000,000.00
Pension Trust	Hartford Schroder					\$ 6,000,000.00
Pension Trust	Vanguard Global					\$ 14,228,429.00
Pension Trust	MFS Growth					\$ 31,985,586.00
Pension Trust	Clarion Lyon					\$ 10,460,126.00
Pension Trust	Money Market					\$ 2,271,527.00
Pension Trust	Morgan Stanley					\$ 9,770,459.00
Pension Trust	Vanguard-OPEB					\$ 31,743,756.00
SUB-TOTAL						\$ 333,146,969.00
Total Investments						\$ 335,490,734.01
Total Cash on Hand						\$ 835,153.89
Grand Total						\$ 336,325,887.90

Total Funds under Treasury Management:

Total Investments						\$ 515,139,636.22
Total Cash on Hand						\$ 11,758,761.63
Grand Total¹						\$ 526,898,397.85

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 Cabrera, seconded by Council Members McCoy and Gray, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Recognize Hispanic Heritage Month
All Council	Sympathy Tiffani Eryn Roberts
All Council	Sympathy Damon Betz
All Council	Recognize 27 th Annual People's Festival (Tribute to Bob Marley)
All Council	Recognize Stan Waterman
Cabrera	Sympathy Cecilia Escobar-Duplan
Harlee	Sympathy Richard G. Hatfield
Walsh	Sympathy Kevin Free

*Note: Council Member Dixon was recognized and marked present and reflected in the minutes herein (Roll Call).

PUBLIC COMMENTS

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

- Bonnie Metz
- Scott Eicher

LEGISLATIVE BUSINESS

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

Council Member Oliver presented Resolution No. 21-041 (Agenda #0093) as follows:

WHEREAS, Wilmington City Code Section 2-626 provides that the Council shall by resolution approve the grant of any utility license, easement, or right-of-way by the Department of Public Works; and

WHEREAS, Cellco Partnership d/b/a Verizon Wireless ("Verizon") requested consent from the City to use certain public rights-of-way located in the City of Wilmington to construct, maintain and operate its facilities for use in providing wireless telecommunication services; and

WHEREAS, the City, consistent with Wilmington City Code Chapter 42, Article XIII, desires to grant a non-exclusive license to Verizon for that purpose, subject to the exercise of the City's police powers and the right of the City to charge for that use.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the License Agreement between the CITY OF WILMINGTON, a municipal corporation of the State of Delaware, and CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS authorizing Verizon to, among other things, construct, install, maintain, and operate wireless telecommunication facilities in the public rights of way of the City of Wilmington, a copy of which is attached hereto as Exhibit "A" and made a part hereof, is hereby approved, and the Mayor or his designee and City Clerk are hereby authorized to execute as many copies of said Agreement as may be necessary.

FISCAL IMPACT STATEMENT: Verizon will pay the City an annual license fee in the amount of \$270 per node (as that term is defined by the License) per node user. Consistent with the License, the fee may be adjusted based upon a study of the City's actual costs for maintaining the rights of way or a change in applicable law.

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

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 and called for the third and final reading Ordinance No. 21-041 (Agenda #0088) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
LICENSE AGREEMENT BETWEEN THE CITY OF
WILMINGTON AND ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a license agreement for the period of three (3) years from September 22, 2021 through September 21, 2024, at an estimated annual price of Fifty-Five Thousand Dollars (\$55,000.00) per year for a total estimated price of One Hundred Sixty-Five Thousand Dollars (\$165,000.00)

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.

President Congo requested the Clerk to call for the roll.

The above-referenced Ordinance was read for the third and final time and 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 third and final reading Ordinance No. 21-042 (Agenda #0089) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A
DISCOUNT DISPOSAL FEE AGREEMENT BETWEEN
THE CITY OF WILMINGTON AND THE DELAWARE
SOLID WASTE AUTHORITY

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is an agreement for the period of three (3) years from July 1, 2021 through June 30, 2024 at (i) the rates of Seventy Dollars (\$70.00) for the first year of the Agreement, Seventy-One Dollars (\$71.00) for the second year of the Agreement, and Seventy-Two Dollars (\$72.00) for the third year of the Agreement for each ton of solid waste (excluding construction and demolition waste), (ii) a discounted variable rate for each ton of construction and demolition waste, and (iii) the rate of Zero Dollars (\$0.00) for recyclable materials. For reference, the City paid approximately Two Million Dollars (\$2,000,000.00) to DSWA for the aforementioned services in Fiscal Year 2021.

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.

President Congo requested the Clerk to call for the roll.

The above-referenced Ordinance was read for the third and final time and 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 Harlee presented Resolution No. 21-042 (Agenda #0094) as follows:

WHEREAS, on July 8, 2021, Ordinance No. 21-040 was introduced before Wilmington City Council proposing to amend Chapter 48 of the City Code regarding uses permitted in the W-4 (Waterfront Residential/Commercial) zoning district and parking lot landscaping requirements for all waterfront zoning districts (the "Ordinance"); and

WHEREAS, at its May 18, 2021 regular meeting, the City Planning Commission, by its Resolution 5-21 (as amended), recommended the approval of the proposed amendments contained 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 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 Ordinance, or a substitute thereto, to be held on October 7, 2021 at 6:30 p.m. in the City Council Chambers (with the option to participate virtually), to consider the proposed amendments to Chapter 48 of the City Code regarding uses permitted in the W-4 (Waterfront Residential/Commercial) zoning district and parking lot landscaping requirements for all waterfront zoning districts.

BE IT FURTHER RESOLVED that in accordance with the enactment of Delaware General Assembly Senate Bill 94, members of the public will be allowed to participate in the public hearing either in person in the Council Chambers or virtually. The instructions to access the public hearing virtually will be included on the agenda for the October 7, 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 Harlee, seconded by Council Members Walsh and McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution and made comments.

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

President Congo declared the Resolution **adopted**.

Council Members 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. 21-045 (Agenda #0091) entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE
CITY CODE TO CHANGE THE OBSERVANCE OF
VETERANS' DAY AS A PAID HOLIDAY FOR ELIGIBLE
CITY EMPLOYEES TO THE ELEVENTH DAY OF
NOVEMBER

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

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.

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 Johnson presented Resolution No. 21-043 (Agenda #0095) as follows:

WHEREAS, City Council has enacted provisions set forth in Chapter 2 of the City Code constituting the City's Code of Conduct, with the provisions thereof paralleling the provisions of the State Code of Conduct that are set forth in 29 Del. C. Ch. 58; and

WHEREAS, Section 2-343(a) of the City's Code of Conduct sets forth provisions regarding the establishment of the Wilmington Ethics Commission (the "Commission") to "consist of seven (7) members appointed by the Mayor with the concurrence by resolution of a majority of all members of council"; and

WHEREAS, Section 2-343(b) of the City's Code of Conduct provides that each member of the Commission is appointed for a term of four years and no member may serve for more than two full four-year terms; and

WHEREAS, five current members of the Commission - William D. Johnston, Katherine Klocko, Faith Meisinger-Petit, Melvin Phillips, and Charles H. Toliver, IV - have each served one full four-year term on the Commission; and

WHEREAS, the Mayor has reappointed William D. Johnston, Katherine Klocko, Faith Meisinger-Petit, Melvin Phillips, and Charles H. Toliver, IV to each serve a second four-year term on the Commission; and

WHEREAS, City Council deems it necessary and appropriate to express its concurrence in the reappointment of the five aforementioned members of the Commission, each for a second four-year term; and

WHEREAS, the requirements that not more than four members of the Commission be registered with the same political party and that no member hold any elected, appointed, or political party or campaign office are satisfied with the proposed appointments; and

WHEREAS, the requirement that no member of the Commission serve more than two full terms of four years is satisfied with the proposed appointments.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby expresses its concurrence with the reappointment by Mayor Michael S. Purzycki of William D. Johnston, Katherine Klocko, Faith Meisinger-Petit, Melvin Phillips, and Charles H. Toliver, IV to the Commission to each serve a second term of four years beginning on the date of passage of this Resolution.

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

President Congo requested the Clerk to call 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 Members N. Field, Cabrera and Dixon did not have any legislation to present this evening.

Council Member Spadola presented and called for the third and final reading Ordinance No. 21-044 (Agenda #0090) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE
CITY CODE TO REQUIRE ANNUAL ETHICS TRAINING
AND TO REVISE THE PROCEDURE TO AMEND THE
CITY ETHICS REQUIREMENTS

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

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

Upon a motion of Council Member Spadola, seconded by Council Members Cabrera and Gray, a floor amendment was made as such:

On page 1, Title:

- Strike the portion of the Title that reads “AND TO REVISE THE PROCEDURE TO AMEND THE CITY ETHICS REQUIREMENTS”.

On page 1, Second Whereas Clause:

- Insert the phrase “some of” in front of the phrase “which are incorporated into this Ordinance” in the Second Whereas Clause.

On page 1, Sixth Whereas Clause:

- Strike the Sixth Whereas Clause in its entirety.

On pages 1 to 2, Seventh Whereas Clause:

- Insert a period after the term “City Employees” and strike the remainder of the Seventh Whereas Clause.

On page 2, Section 1:

- Strike Section 1 in its entirety and renumber current Sections 2, 3, and 4 of The Ordinance as Sections 1, 2, and 3, respectively.

Council Member Gray: Thank you Mr. President. I must say I wholeheartedly agree with this Ordinance, and I agree with the sponsor, Councilman Spadola. In my former life, I always had to take ethics training and refreshers also and we as elected officials should be held to higher standards. As he pointed out, we handle thousands of dollars of taxpayer’s money, and this is necessary for us to realize if we have any conflicts. And the refresher is necessary also over a course of four (4) years, you may have different affiliations, different family members, different stock and the refresher reminds you of a possible conflict. So, I’m wholeheartedly for mandatory ethics training and the refresher. Thank you.

President Congo: Thank you. I just want to remind Councilmembers that we are speaking to the amendment. So please make your remarks, if you have any remarks, please speak to the amendment. Council Member Cabrera.

Council Member Cabrera: I just wanted to say that I do support this wholeheartedly. I think the transparency is of the utmost importance. I mean, I just got done taking three different ethics training for the different work that I do. So, I think that everyone that is in a position of public trust should definitely have this training. So, I just want to say thank you for presenting it.

President Congo: Thank you. Councilwoman Harlee.

Council Member Harlee: Yes, thank you Mr. President. So again, I want to piggy bank off of what has already been said as it relates to ethics training. I'm a Compliance Lead Auditor for DuPont and ethics training, ethics good policy, good governance is 100% what I'm committed to doing and embracing. Transparency, doing the right thing and doing it the right way has always been one of my core competencies; however, I'm glad to hear that the Section 1 is being struck out, because when you, when I learned about this legislation I heard that it was about ethics training but when I read the legislation it did not only include legislation but there's other provisions, such as the one that's being struck out that concerned me and it concerned me very, very strongly. Like I said, ethics training 100%, I'm for it, support it. I'm glad we're implementing this as a requirement but what I did not support and what I did not agree with was giving the Ethics Commission more autonomy and authority over this legislative body. That particular clause that was struck out, if you read the language in it, it basically gave the Ethics Committee the authority to make review and make recommendations and to allow our legislation to be held up until a review and a recommendation was made. I greatly admire our Ethics Commission and I really admire what they stand for, but we are the law making body and there should not be any department, any commission or any committee, telling us what we should do. So, I'm very happy to hear that this has been struck out so we can do the right thing and we are doing it the right way. So, thank you Council Member Spadola for this amendment and removing that provision. Thank you.

President Congo: Thank you for speaking to the amendment. Again, I just want to remind everyone to, please, that we are speaking to the amendment. And, also, before we go to Council Member Walsh, for Council Member Spadola, I believe that you left out one final amendment. I'm not sure if that was a mistake or if that was intentional on Page 4.

Council Member Spadola: Can you, I probably left it out. Can you refresh my memory Council President?

President Congo: Yes. On Page 4 the Synopsis: strike the second sentence of the Synopsis in its entirety.

Council Member Spadola: What does the line actually read there?

President Congo: Give me one moment.

Council Member Spadola: The language that I read was submitted by the Law Department so.

President Congo: It reads, in addition, this Ordinance creates a new procedure for amending the City's ethics rules to provide an opportunity for the Wilmington Ethics Commission to review and make recommendations on such proposed amendments. Finally, as a housekeeping matter, this Ordinance deletes some language from and adds some language to City Code Section 2-345(a) to clarify the jurisdiction of the Wilmington Ethics Commission as established by City Code Section 2-343.

Council Member Spadola: Yes, I believe, yeah, I believe all that should be taken out.

President Congo: Ok, all right thank you. I just want to make sure we're on the same page.

Council Member Spadola: Thank you.

President Congo: You're welcome. At this time, Council Member Walsh.

Council Member Walsh: Yes, I had a question first Mr. President and that is this the only, are these the only amendments that the sponsor is doing?

President Congo: Council Member Spadola you can respond.

Council Member Spadola: Yes.

Council Member Walsh: This is it?

Council Member Spadola: Yes.

Council Member Walsh: I will tell you what my problem is with the amendment and that is, I think you can do these amendments and introduce this in October so the Councilmembers can have a clean copy in front of them. You don't have to reintroduce the bill; you don't have to do any of the above. You can simply amend it and bring it up and we will vote on it, but we will all be looking at a clean version of the bill rather than all of the things that were mentioned in the email that we received and having to piece it together. I'm not saying that we couldn't do that but there is only so much time for certain things too and what I was upset about this – well, we're speaking on the amendment, I'll wait to speak on the bill itself.

President Congo: Yes, thank you. And, seeing no more...

Council Member Oliver: Now Mr. President, my hand is up. I'm having computer difficulties.

President Congo: Ok, Councilwoman Oliver.

Council Member Oliver: Thank you Mr. President. I also, because I'm having computer difficulties, I also agree with Councilwoman Walsh. I would ask the sponsor just to hold this. I definitely believe in ethics training without a doubt but if you can hold this so we can get a clean copy. It's been a lot going today with this bill amendments and it's ok to receive some stuff at the last minute but that's a lot to process and I remember seeing something in the bill regarding Council something, but I don't, I'm not able to see if it was strike or whatever because that was whole another section. So, for me, I would as the sponsor just to hold as Councilwoman Walsh said, just give us a clean copy and everybody is on the same page so I can feel comfortable because there was something in there and I don't even know if it was striked or not because I'm having computer difficulties. I'm not even able to see it. So, I would just ask the sponsor just to hold it and just bring it back fresh and I'll definitely, you will definitely have my vote. It's no problem. I'd just like to see a clean copy because we striked a lot out today, "k", a lot of different sections, so, it's not clear. That's all.

President Congo: Thank you Councilwoman Oliver. Councilman Spadola.

Council Member Spadola: Council President, I'm willing to hold the legislation in light of those comments.

Council Member Oliver: Thank you.

Council Member Walsh: Thank you Councilmember.

President Congo: Ok, thank you Council Member Spadola. So, we are going to hold Councilman Spadola's legislation this evening.

Mrs. Seijo (City Clerk): So noted, thank you.

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

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: frontline workers were thanked for all they do; various individuals, entities and Councilmembers were thanked for assisting and/or being part of the various community events throughout the City of Wilmington; announcements of various upcoming community events; announcement of City Council meetings being open for the public in hybrid model; and including but not limited an announcement of upcoming Redistricting Committee meeting (Sept. 23) for which everyone was encouraged to engage, provide feedback and input.

ADJOURNMENT

Upon a motion of Council Members Cabrera and Gray, seconded by Council Members B. Fields and Dixon, Council adjourned at 7:36 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk