

*Wilmington City Council  
Wilmington, Delaware  
January 20, 2022*

City Council met in regular session with remote participation 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\*, McCoy, Johnson, N. Field, Cabrera, Spadola and Walsh, and Council President Congo. Total, eleven. Absent with leave, Council Member B. Fields. Total, one.

**MINUTES**

After reading a portion of the minutes of January 6, 2022, upon a motion of Council Member Cabrera, seconded by Council Member Walsh, it was moved they be accepted as written. Motion prevailed.

**COMMITTEE REPORTS**

The City Clerk read the following committee report:

<b>Public Safety Committee Member</b>	<b>Present</b>	<b>Absent w/Leave</b>	<b>Absent w/out Leave</b>
Loretta Walsh, Chair	√		
Linda M. Gray	√		
Chris Johnson	√		
James Spadola	√		
Ernest "Trippi" Congo II, Ex-Officio	√		

President and Members of Council of  
The City of Wilmington

January 10, 2022

Ladies and Gentlemen:

We, your Public Safety Committee by **Virtual Meeting with remote participation**, to who was referred **Ordinance No. 21-055** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 RELATING TO  
THE REMOVAL OF ABANDONED VEHICLES WITHIN THE  
CITY

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

**TREASURER'S REPORT**

The following Treasurer's Report for January 20, 2022 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 3 to Page 4.*

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report February 03, 2022

Cash - Ledger Balance (as of 02/02/2022):

General	M & T Bank	\$	8,054,799.00
Payroll	M & T Bank	\$	1,433,783.98
Law Department Court Costs	M & T Bank	\$	4,302.07
Total Petty Cash	M & T Bank	\$	6,289.97
Police - Evidence Found (Currency)	M & T Bank	\$	1,214,922.19
Police & Fire Remembrance	M & T Bank	\$	8,444.49
Police Department Discretionary	M & T Bank	\$	14,482.55
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>\$</b>	<b>10,853,925.09</b>

Cash Equivalents & Investments (as of 02/02/2022):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo	Daily	0.01%	\$ 5.93	\$ 22,082,913.60
General	TD	ARPA funds*	3	0.08%	\$ 184.53	\$ 27,680,047.94
General	TD	High Yield Checking	3	0.08%	\$ 126.79	\$ 19,019,111.60
General	TD	High Yield Checking	3	0.08%	\$ 33.37	\$ 5,005,103.68
General	TD	High Yield Checking	3	0.10%	\$ 259.90	\$ 31,188,122.24
<b>SUB-TOTAL:</b>						<b>\$ 104,975,299.06</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	High Yield Checking	3	0.08%	\$ 109.07	\$ 16,361,078.41
<b>SUB-TOTAL</b>						<b>\$ 16,361,078.41</b>
<b>RESTRICTED:</b>						
Capital Project	TD	High Yield Checking	3	0.08%	\$ 18.78	\$ 2,816,660.61
Capital Project	TD	High Yield Checking	3	0.08%	\$ 34.22	\$ 5,132,487.06
Capital Project	TD	High Yield Checking	3	0.08%	\$ 223.27	\$ 33,490,611.06
Water/Sewer	TD	High Yield Checking	3	0.08%	\$ 21.85	\$ 3,277,247.73
<b>SUB-TOTAL</b>						<b>\$ 44,717,006.46</b>
<b>Total Investments</b>						<b>\$ 166,053,383.93</b>
<b>Total Cash on Hand</b>						<b>\$ 10,853,925.09</b>
<b>Grand Total</b>						<b>\$ 176,907,309.02</b>

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

*DaWayne Sims*  
DaWayne Sims, City Treasurer

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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 3, 2022**
**DaWayne Sims**  
**City Treasurer**

Cash - Ledger Balance (as of 02/02/2022):

Pension Payroll	M & T Bank	\$	220,569.89
Retiree Healthcare	M & T Bank	\$	168,834.24
Police Pension	M & T Bank	\$	223,342.62
Fire Pension	M & T Bank	\$	15,856.93
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	182,106.36
Non-Uniform Pension Plan 2	M & T Bank	\$	13,380.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
<b>Total Cash on Hand</b>		<b>\$</b>	<b>825,682.85</b>

Cash Equivalents (as of 02/02/2022) &amp; Investments (Market Value as of January 28, 2022)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Pension Plan III	WSFS	CD	2/23/2022	0.01%	\$ 5.64	\$ 686,968.86
<b>SUB-TOTAL:</b>						<b>\$ 686,968.86</b>
<b>RESERVE:</b>						
Pension Trust	Edgar Lomax					\$ 19,378,970.00
Pension Trust	MFS Low Global					\$ 14,328,181.00
Pension Trust	Earnest Partners					\$ 17,272,591.00
Pension Trust	Rhumblin 1000					\$ 16,869,053.00
Pension Trust	Artisan Global					\$ 13,741,852.00
Pension Trust	Dodge & Cox					\$ 15,839,618.00
Pension Trust	Fidelity Market Index					\$ 4,833,444.00
Pension Trust	Fidelity Total Intl. Index					\$ 5,826,391.00
Pension Trust	Harding Loevner					\$ 1,450,893.00
Pension Trust	Wellington Emerging					\$ 4,321,048.00
Pension Trust	Fidelity Bond Index					\$ 7,448,754.00
Pension Trust	AB Global Core					\$ 15,042,510.00
Pension Trust	Hartford Schroder					\$ 2,742,846.00
Pension Trust	Rhumblin Core					\$ 37,326,350.00
Pension Trust	Rhumblin 3000					\$ 51,607,513.00
Pension Trust	LM Capital Core					\$ 38,801,426.00
Pension Trust	Clarion Lion					\$ 15,064,511.00
Pension Trust	Money Market					\$ 1,054,182.00
Pension Trust	Morgan Stanley					\$ 11,125,539.00
Pension Trust	Vanguard-OPEB					\$ 31,228,131.00
<b>SUB-TOTAL</b>						<b>\$ 325,303,803.00</b>
<b>Total Investments</b>						<b>\$ 325,990,771.86</b>
<b>Total Cash on Hand</b>						<b>\$ 825,682.85</b>
<b>Grand Total</b>						<b>\$ 326,816,454.71</b>

Total Funds under Treasury Management:

Total Investments						\$ 492,044,155.79
Total Cash on Hand						\$ 11,679,607.94
<b>Grand Total<sup>1</sup></b>						<b>\$ 503,723,763.73</b>

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

DocuSigned by:

DaWayne Sims

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*\*Note: At this time, Council Member Harlee was recognized and marked present, and is reflected in the minutes herein (Roll Call).*

### **NON-LEGISLATIVE BUSINESS**

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

All Council	Recognize Kozy Corner 100 <sup>th</sup> Anniversary
All Council	Sympathy Raymond A. King
All Council	Sympathy Edward I. Anderson
B. Fields	Sympathy Patricia Ann Brown
Harlee	Sympathy Bernie Wilkins
Harlee	Sympathy R. Leatha Allen
Harlee	Recognize Dwight L. Davis
Oliver	Sympathy Terrin M. Jackson
Walsh	Sympathy Rose Cuocolo
Walsh	Sympathy Michael Kelly
Walsh	Sympathy Colin Flaherty
Walsh	Sympathy Honorable Richard S. Gebelein
Walsh	Sympathy James E. Strawbridge
Walsh	Sympathy Terence J. Patton, Sr.

### **PUBLIC COMMENTS**

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

- Kristina Kelly
- Jay Rene
- Keandra McDole
- Hanaaf Salaam
- Zakiya Minkah
- Richard Smith
- Teresa Oliver
- Coby Owens
- Branden Fletcher
- Alma Lewis

### **LEGISLATIVE BUSINESS**

Council Member Gray presented and called for the third and final reading Ordinance No. 21-055 (Agenda #0111) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 RELATING TO  
THE REMOVAL OF ABANDONED VEHICLES WITHIN  
THE CITY

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

AN ORDINANCE TO AMEND CHAPTER 37 RELATING TO  
THE REMOVAL OF ABANDONED VEHICLES WITHIN  
THE CITY

Upon a motion of Council Member Gray, seconded by Council Member Walsh, the **Substitute** Ordinance was before the Council for its consideration. Motion prevailed. Council Members Gray, Darby, Oliver, Spadola, Cabrera and Johnson made comments. Council Member Oliver made additional comments. Council Member Walsh made comments. Council Member Darby made additional comments. President Congo made comments. Council Member Gray made closing comments.

The above-referenced **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, McCoy, Johnson, N. Field, Cabrera, Spadola and Walsh. Total, seven. Nays, Council Members Darby and Oliver, and Council President Congo. Total, three. Absent, Council Members Harlee and B. Fields. Total, two.

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

Council Member Oliver officially withdrew Ordinance No. 21-048 (Agenda #0097).

On behalf of Council Member Harlee, Council Member Oliver presented and called for the first and second reading Ordinance No. 22-001 (Agenda #0124) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF A  
PORTION OF NORTH PINE STREET, LOCATED BETWEEN  
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 Member McCoy, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

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

Council Member Johnson presented and called for the first and second reading Ordinance No. 22-002 (Agenda #0125) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (SUPPLEMENTAL WETLAND PARK PROJECT), SERIES OF 2022-WPCRF, IN ORDER TO PROVIDE THE ADDITIONAL FUNDS NECESSARY FOR THE CITY'S WETLAND PARK PROJECT; PROVIDING FOR THE SALE OF THE BOND; AND AUTHORIZING OTHER NECESSARY ACTION

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Johnson, seconded by Council Member Walsh, 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. 22-003 (Agenda #0126) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (ANNUAL WATER MAINS IMPROVEMENT PROJECT), SERIES A OF 2022-DWSRF, IN ORDER TO PROVIDE FUNDS NECESSARY TO FINANCE CAPITAL PROJECTS OF THE CITY RELATING TO VARIOUS WATER MAIN IMPROVEMENTS THROUGHOUT THE CITY; PROVIDING FOR THE SALE OF THE BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

On behalf of President Congo, Council Member Johnson presented Resolution No. 22-001 (Agenda #0129) as follows:

**WHEREAS**, on Tuesday, January 18, 2022, there was a Special Public Safety Committee Meeting to address questions and concerns by Wilmington City Council relative to various policing policy matters such as Wilmington Police Department (WPD) Governance, Operations, and Accountability, WPD Diversity, WPD Use of Grants and Funding, WPD Community Response, and Monitoring Crime and Strategy for Violence Prevention. At this meeting, it was alarming to hear the lack of diversity in WPD, considering the City of Wilmington's diverse population. Nonetheless, it was further disturbing to see no substantive action plan shared with Council to address diversity knowing this has been a concern of this body of Council; and

**WHEREAS**, Chief Robert J. Tracy was hired April 14, 2017 as the City of Wilmington's Police Chief. Mayor Michael Purzycki chose Chief Tracy "in large measure because of his demonstrable technical and leadership skills, his reputation for fairness and building trust in the community, and his unmatched background in advanced policing strategies." Furthermore, Chief Tracy's salary was compensated to be similar with Chiefs of large cities, but nonetheless this is the highest salary paid for any city employee, including previous Chiefs and Mayors.

**WHEREAS**, crime and particularly gun violence, continues to plague our City. Chief Tracy shared when hired, "I will work to build on the existing Wilmington partnership of police and community which, when coupled with effective policing strategies, will help us reduce crime and improve community relationships"; however, this concept never transpired. The residents have complained about the lack of visibility of WPD Police Chief following major incidents in the City of Wilmington; and

**WHEREAS**, this Council asked the Administration on numerous occasions to have a fully funded and operational Citizens Complaint Review Board with the goal of increasing transparency in policing with little movement; and

**WHEREAS**, City Council has received numerous complaints from WPD staff concerning internal operating procedures. City Council stands united and supportive of WPD sworn officers who are urging for departmental improvement in order to better serve City of Wilmington residents. It is the intent of this Council to see positive change in the department starting with Departmental leadership to increase the morale of WPD.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this public body expresses a vote of no confidence in Wilmington Police Chief Robert J. Tracy and Wilmington Police Department current practices under his leadership.

**BE IT FURTHER RESOLVED**, the Council urges the City of Wilmington administration to take actionable steps, as the executive branch of government, to actively work with experts to reform Wilmington Police Department.

**BE IT FURTHER RESOLVED**, this body recommends the Administration engage in a national search to identify a third-party entity to conduct an audit of Wilmington Police Department operations and procedures to be completed within 90 days of passage of this legislation.

Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson made comments. President Congo made comments. Council Members Gray, Walsh, Spadola, Darby, Cabrera, McCoy, Oliver and Harlee made comments. Council Members Walsh, Oliver and Gray made additional comments. Council Member Johnson asked for the attorney from the Law Department to address concerns expressed. Zachary Stirparo made comments and deferred the floor to Council's Chief of Staff Daniel Walker who responded to the concerns expressed by members of Council. Council Members Darby and Cabrera made additional comments. President Congo made closing 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 and McCoy, and Council President Congo. Total, six. Nays, Council Members N. Field, Cabrera Spadola and Walsh. Total, four. Present, Council Member Johnson. Total, one. Absent, Council Member B. Fields. Total, one.

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Cabrera presented Resolution No. 22-002 (Agenda #0127) as follows:

**WHEREAS**, Council Member Rysheema J. Dixon submitted a letter to Council President Ernest “Trippi” Congo II resigning her position as a Council Member At-Large effective as of January 7, 2022, and Council President Congo accepted it with sincere regret; and

**WHEREAS**, City Charter Section 2-101 and City Code Section 2-34 collectively provide that when a vacancy occurs in the office of a Council Member, City Council shall certify that a vacancy exists by resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that it is with deep regret that, effective as of January 7, 2022, this Council accepts the resignation of Rysheema J. Dixon, City Council Member At-Large.

**BE IT FURTHER RESOLVED** that City Council, as required by City Charter Section 2-101 and City Code Section 2-34, formally certifies that an At-Large Council position is vacant as of January 7, 2022 and it will be filled by the appointment of a duly qualified successor in accordance with City Charter Section 2-101 and City Code Section 2-34.

Upon a motion of Council Member Cabrera, seconded by Council Members Johnson and Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Cabrera 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, Oliver, McCoy, Johnson, N. Field, Cabrera, Spadola and Walsh, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby Harlee and B. Fields. Total, three.

President Congo declared the Resolution **adopted**.

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

Council Member Walsh presented Resolution No. 22-003 (Agenda #0128) as follows:

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

**WHEREAS**, the Office of Emergency Management (the "Office") submitted a grant application for the 2021 Emergency Management Performance Grant ("EMPG"), a pass-through grant from the Federal Emergency Management Agency to the Delaware Emergency Management Agency, in the amount of \$237,000.00; and

**WHEREAS**, the purpose of the EMPG program is to provide federal funding to assist state and local governments in preparing for all hazards by implementing the national preparedness system and the national preparedness goal of a secure and resilient nation; and

**WHEREAS**, the Office intends to use the grant monies to support the administration and operation of the Office, including personnel salaries and benefits, supplies, equipment, services, maintenance and upkeep of the Emergency Operations Center, and expenses incurred during the activation of the Emergency Operations Center; and

**WHEREAS**, the City is required to provide matching funds of fifty percent (50%) of the total cost of the project which will not exceed \$474,000.00, thereby creating a local match requirement of up to \$237,000.00; and

**WHEREAS**, the City will fund this match requirement with amounts already budgeted for this purpose; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Office of Emergency Management's grant application to the Delaware Emergency Management Agency in the amount of \$237,000.00 is hereby authorized.

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

**FISCAL IMPACT STATEMENT:** There is no negative fiscal impact to the City. Although the grant requires a fifty percent (50%) local match of the total cost of the project up to a maximum match of \$237,000.00, sufficient funds have already been budgeted within the Office of Emergency Management for this purpose.

Upon a motion of Council Member Walsh, seconded by Council Member Spadola, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Walsh 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, McCoy, Johnson, N. Field, Cabrera, Spadola and Walsh, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee and B. Fields. Total, two.

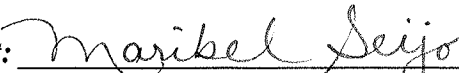
President Congo declared the Resolution **adopted**.

### **PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: recent fires and the need to be safe; community events; the special Public Safety Committee meeting that took place on January 18<sup>th</sup>; police reform; and including but not limited to, the public was thanked for their feedback and were encouraged to continue to be engaged.

### **ADJOURNMENT**

Upon a motion of Council Member Cabrera, seconded by Council Member Gray, Council adjourned at 8:26 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk