

*Wilmington City Council
Wilmington, Delaware
September 1, 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, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Spadola, and Council President Congo. Total, twelve. Absent with leave, Council Member Walsh. Total, one.

MINUTES

After reading a portion of the minutes of August 25, 2022, upon a motion of Council Member Cabrera, seconded by Council Members McCoy, Harlee and B. Fields, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

Community Development & Urban Planning Committee Members	Present	Absent w/Leave	Absent w/out Leave
Maria D. Cabrera, Chair	X		
Nathan Field, Vice Chair		X	
Yolanda M. McCoy	X		
Bregetta A. Fields	X		
James Spadola		X	
Shané N. Darby	X		
Ernest "Trippi" Congo II, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

May 12, 2022

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee by **Virtual Meeting with remote participation**, to who was referred **Ordinance No. 22-011** entitled:

AN ORDINANCE TO REZONE THREE PARCELS OF LAND
LOCATED AT THE SOUTHEAST CORNER OF FOURTH
AND SHIPLEY STREETS, COMMONLY KNOWN AS
“HUMBLE PARK”, FROM A ZONING CLASSIFICATION OF O
(OPEN SPACE) TO A ZONING CLASSIFICATION OF C-3
(CENTRAL RETAIL)

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

Respectfully submitted, Members of
Community Development & Urban Planning Committee

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

TREASURER’S REPORT

The following Treasurer’s Report for September 1, 2022 was read into
the record by City Clerk and upon a motion of Council Member Cabrera, seconded by
Council Members Gray and McCoy, 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.

[the remainder of this page intentionally left blank]

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report September 01, 2022

Cash - Ledger Balance (as of 08/31/2022):

General	M & T Bank	\$	9,256,545.00
Payroll	M & T Bank	\$	1,229,721.31
Law Department Court Costs	M & T Bank	\$	4,412.07
Total Petty Cash	M & T Bank	\$	6,232.55
Police - Evidence Found (Currency)	M & T Bank	\$	1,219,122.40
Police & Fire Remembrance	M & T Bank	\$	9,444.49
Police Department Discretionary	M & T Bank	\$	20,466.66
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		\$	11,862,845.32

Cash Equivalents & Investments (as of 08/31/2022):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo**	Daily	0.01%	\$ 10.38	\$ 38,451,251.81
General	TD	ARPA funds*	6	0.51%	\$ 3,856.61	\$ 45,371,835.97
General	TD	High Yield Checking	6	0.52%	\$ 782.87	\$ 9,033,128.51
General	TD	High Yield Checking	6	0.52%	\$ 0.60	\$ 6,953.68
General	TD	High Yield Checking	6	0.52%	\$ 2,707.51	\$ 31,240,457.90
SUB-TOTAL:						\$ 124,103,627.88
RESERVE:						
General ¹	TD	High Yield Checking	6	0.52%	\$ 1,498.95	\$ 17,295,568.63
SUB-TOTAL						\$ 17,295,568.63
RESTRICTED:						
Capital Project	TD	High Yield Checking	6	0.52%	\$ 184.03	\$ 2,123,412.04
Capital Project	TD	High Yield Checking	6	0.52%	\$ 375.85	\$ 4,336,686.99
Capital Project	TD	High Yield Checking	6	0.52%	\$ 2,521.17	\$ 29,090,388.60
Water/Sewer	TD	High Yield Checking	6	0.52%	\$ 288.16	\$ 3,324,898.52
State Bonds Proceeds	TD	High Yield Checking	6	0.52%	\$ 546.78	\$ 6,308,963.90
SUB-TOTAL						\$ 45,184,350.05
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2024	0.15%	\$ 59.18	\$ 25,871.46
Total Investments						\$ 186,609,418.02
Total Cash on Hand						\$ 11,862,845.32
Grand Total						\$ 198,472,263.34

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

DaWayne Sims 9/1/2022

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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

WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

City of Wilmington



Treasurer's Report - Pensions September 1, 2022

DaWayne Sims
City Treasurer

Cash - Ledger Balance (as of 08/31/2022):

Pension Payroll	M & T Bank	\$	28,730.73
Retiree Healthcare	M & T Bank	\$	1,301,808.27
Police Pension	M & T Bank	\$	603,527.94
Fire Pension	M & T Bank	\$	17,053.99
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	549,725.63
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	2,503,439.37

Cash Equivalents (as of 08/31/2022) & Investments (Market Value as of August 26, 2022)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Pension Plan III	WSFS	CD	9/26/2022	0.05%	\$ 12.17	\$ 296,261.09
Fire Pension	TD	CD	10/10/2022	2.50%	\$ 5,912.99	\$ 3,702,046.32
Police Pension	TD	CD	9/5/2022	1.25%	\$ 2,285.59	\$ 1,097,081.04
SUB-TOTAL:						\$ 5,095,388.45
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 49,614,238.00
Pension Trust	Fidelity Market Index					\$ 3,993,100.00
Pension Trust	Edgar Lomax					\$ 16,154,521.00
Pension Trust	Rhumblin 1000					\$ 15,017,224.00
Pension Trust	Earnest Partners					\$ 17,193,491.00
Pension Trust	Dodge & Cox					\$ 14,682,731.00
Pension Trust	AB Global Core					\$ 12,697,515.00
Pension Trust	Artisan Global					\$ 11,953,071.00
Pension Trust	MFS Low Global					\$ 13,573,673.00
Pension Trust	Hartford Schroder					\$ 2,412,450.00
Pension Trust	Fidelity Total Intl. Index					\$ 5,040,426.00
Pension Trust	Harding Loevner					\$ 1,209,077.00
Pension Trust	Wellington Emerging					\$ 3,521,161.00
Pension Trust	Clarion Lion					\$ 17,233,926.00
Pension Trust	Morgan Stanley					\$ 12,154,605.00
Pension Trust	JP Morgan					\$ 13,000,000.00
Pension Trust	LM Capital Core					\$ 32,161,837.00
Pension Trust	Rhumblin Core					\$ 28,397,067.00
Pension Trust	Fidelity Bond Index					\$ 4,370,974.00
Pension Trust	Money Market					\$ 750,022.00
Pension Trust	Vanguard-OPEB					\$ 28,457,653.00
SUB-TOTAL						\$ 303,588,762.00
Total Investments						\$ 308,684,150.45
Total Cash on Hand						\$ 2,503,439.37
Grand Total						\$ 311,187,589.82

Total Funds under Treasury Management:

Total Investments						\$ 495,293,568.47
Total Cash on Hand						\$ 14,366,284.69
Grand Total¹						\$ 509,659,853.16

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

DocuSigned by:

DaWayne Sims 9/1/2022

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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

WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

Upon a motion of Council Member Cabrera, seconded by Council Members B. Fields, McCoy and Gray, the following non-legislative resolutions were accepted into the record and motion prevailed:

Congo	Recognize 27 th Annual Judy Johnson Night
Congo	Recognize Mrs. Florence Gaines (90 th Birthday Celebration)
Oliver	Recognize Ron and Betty Park (50 th Wedding Anniversary)
Oliver	Sympathy Juanita Matos Crespo
Oliver	Sympathy Marell DeShawn Lowe

PUBLIC COMMENTS

At this time, President Congo opened up the floor for public comments, however, nobody desired the privilege of the floor.

LEGISLATIVE BUSINESS

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

Council Member Oliver presented and called for the first and second reading Ordinance No. 22-037 (Agenda #0218) entitled:

AN ORDINANCE TO AMEND CHAPTER 14 OF THE CITY CODE PERTAINING TO HISTORIC MARKERS

FISCAL IMPACT: At this time the fiscal impact of the legislation cannot be determined. The City previously installed historical markers between 2015 and 2018, at an average cost of \$3,000 per marker. Given that we do not know at this time how many historical markers will be approved by the Subcommittee on the Historic Markers Program, or the current cost of materials, the fiscal impact of the legislation cannot be determined.

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 Harlee held Agenda #0219.

Council Member Harlee presented and called for the third and final reading Ordinance No. 22-011 (Agenda #0144) entitled:

AN ORDINANCE TO REZONE THREE PARCELS OF LAND
LOCATED AT THE SOUTHEAST CORNER OF FOURTH AND
SHIPLEY STREETS, COMMONLY KNOWN AS “HUMBLE PARK”,
FROM A ZONING CLASSIFICATION OF O (OPEN SPACE) TO A
ZONING CLASSIFICATION OF C-3 (CENTRAL RETAIL)

Upon a motion of Council Member Harlee, seconded by Council Members McCoy and Johnson, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Ordinance and made comments. Council Members McCoy, B. Fields, Oliver, Cabrera, and Johnson made comments. Council Member Harlee made closing remarks.

As a friendly reminder, President Congo reminded the Councilmembers they need to state their reason for their vote for this legislation.

President Congo requested the Clerk to call for the roll.

The above-referenced Ordinance was read for third and final time and was adopted by title and section recurring to the Enacting Clause by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray – Yes, I’m supporting it because based on Council Member Harlee and Council Member Cabrera, they’ve assured me that some of the concerns have been taken care of; Darby – Yes, I’m supporting it for the same reason. Some of the concerns have been addressed, however, I’m not okay with the bidder but that’s a whole another convo; Oliver – Yes, I support the findings; Harlee – Yes, I support the findings; B. Fields – Yes, I support the findings; McCoy – Yes, I support the finding; Johnson – Yes, I support the findings; N. Field – Yes, I support the findings; Cabrera – For the findings, I support this and I’m a yes; Mills – Yes, I support the findings; and Spadola – Yes, based on the findings; and Council President Congo – Yes, based on the findings. Total, twelve. Nay, none. Absent, Council Member Walsh. Total, one.

President Congo declared the Ordinance **adopted**.

Council Member Harlee presented Resolution No. 22-056 (Agenda #0206) as follows:

WHEREAS, pursuant to Wilm. C. (Charter) § 1-101, the City may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

WHEREAS, Wilm. C. § 2-621(a) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; and

WHEREAS, Wilm. C. § 2-622(1) provides that the Council shall by resolution declare a property to be approved for disposition and authorize the conduct of disposition proceedings by the Department of Real Estate and Housing; and

WHEREAS, Wilm. C. § 2-622(2) provides that the Department of Real Estate and Housing shall cause public notice of the request for proposals for the disposition of a property to be given by publication in a newspaper having general circulation in the City and make available all pertinent information to persons interested in submitting a bid on the property that has been approved for disposition; and

WHEREAS, Wilm. C. § 2-622(5) provides that the bids for a property, together with the recommendations of certain City departments, including the Department of Real Estate and Housing, shall be submitted to Council which, by resolution, shall approve the bid of the best bidder; and

WHEREAS, the City currently owns three parcels of real estate located at the southeast corner of Fourth and Shipley Streets, Wilmington, Delaware 19801 (being New Castle County Tax Parcel Nos. 26-043.10-188, 26-043.10-189, and 26-043.10-190) (collectively, the “Properties”), which are commonly known as “Humble Park”; and

WHEREAS, on April 7, 2022, the Council passed Resolution No. 22-014 declaring the Properties to be surplus, approving the Properties for disposition, and authorizing the Department of Real Estate and Housing to conduct disposition proceedings; and

WHEREAS, the Department of Real Estate and Housing thereafter caused public notice of the request for proposals (the “RFP”) for disposition of the Properties to occur in accordance with Wilm. C. § 2-622(2); and

WHEREAS, one proposal was submitted in response to the RFP; and

WHEREAS, the Department of Real Estate and Housing and the Office of Economic Development evaluated the proposal based upon the criteria contained in the RFP and determined that the proposal submitted by The Buccini/Pollin Group, Inc. was the best bidder, as such term is used in Wilm. C. § 2-622(5); and

WHEREAS, the Council wishes to approve the bid of The Buccini/Pollin Group, Inc. as the best bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby approves the bid of The Buccini/Pollin Group, Inc. for the Properties as the best bidder.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor and the City Clerk, or their respective designees, to execute any and all documents necessary to effectuate disposition of the Properties to The Buccini/Pollin Group, Inc., including any and all further undertakings and assurances that may be appropriate.

Upon a motion of Council Member Harlee, seconded by Council Member 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. Council Members Johnson, Spadola and Cabrera made comments. Council Member Darby made comments and raised a question. Council Member Harlee responded and made closing remarks.

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, Mills and Spadola, and Council President Congo. Total, eleven. Nays, Council Member Darby. Total, one. Absent, Council Member Walsh. 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 first and second reading Ordinance No. 22-038 (Agenda #0220) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO CLARIFY THE FUNDING OF AND APPROPRIATION FROM THE BUDGET RESERVE ACCOUNT, THE TAX STABILIZATION RESERVE, THE WATER/SEWER FUND OPERATION AND MAINTENANCE RESERVE, AND THE WATER/SEWER FUND RATE STABILIZATION RESERVE

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 McCoy, the Ordinance was received, recorded and referred to the Finance & Economic Development Committee. Motion prevailed.

Council Members N. Field, Cabrera, Mills and Spadola did not have any legislation to present this evening.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: announcements of community events and community meetings throughout the various districts; Council Member Cabrera was welcomed to the 1st District; Open Door Sessions; the need to establish Black Restaurant Week in the City; availability of scholarship; announcement of Council and Committee meetings being in-person; and including but not limited to everyone was wished a happy and safe Labor Day weekend.

ADJOURNMENT

Upon a motion of Council Member Gray, seconded by Council Members B. Fields and Darby, Council adjourned at 7:13 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk