

*Wilmington City Council  
Wilmington, Delaware  
October 6, 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, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola and Council President Congo. Total, ten. Absent with leave, Council Members Harlee, Mills and Walsh. Total, three.

**MINUTES**

After reading a portion of the minutes of September 15, 2022, 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:

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

President and Members of Council of  
The City of Wilmington

January 13, 2022

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee by **Virtual Meeting with remote participation**, to who was referred **Ordinance No. 21-021** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE  
TO PROVIDE FOR CIVIL FINES FOR OWNERS OF VACANT  
PROPERTIES WHO FAIL TO REGISTER THEM

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 Member McCoy, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

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

September 8, 2022

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 22-026** entitled:

AN ORDINANCE NAMING THE CONCORD AND MADISON  
TRIANGLE AS THE BEATRES R. DUNN TRIANGLE

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 Member McCoy, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<b>Community Development &amp; Urban Planning Committee Members</b>	<b>Present</b>	<b>Absent w/Leave</b>	<b>Absent w/out Leave</b>
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

September 8, 2022

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 22-036** entitled:

AN ORDINANCE TO RENAME THE 4<sup>TH</sup> AND RODNEY "TOT LOT"  
AFTER PASTOR LOTTIE LEE-DAVIS

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 Member McCoy, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

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

President and Members of Council of  
The City of Wilmington

September 19, 2022

Ladies and Gentlemen:

We, your Public Works & Transportation Committee met by anchor location and **remote participation**, to who was referred **Ordinance No. 22-032** entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO CREATE A LICENSING FEE PAYMENT STRUCTURE FOR STATIONARY ENGINEERS AND FIREMEN AND TO REDUCE THE NUMBER OF PERSONS ON THE BOARD OF EXAMINING ENGINEERS

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

Respectfully submitted, Members of  
Public Works & Transportation Committee

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, 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	X		
Loretta Walsh, Vice Chair		X	
Linda M. Gray	X		
Nathan Field	X		
Bregetta A. Fields	X		
James Spadola	X		
Ernest "Trippi" Congo II, Ex-Officio	X		

President and Members of Council of  
The City of Wilmington

September 19, 2022

Ladies and Gentlemen:

We, your Public Works & Transportation Committee met by anchor location and **remote participation**, to who was referred **Ordinance No. 22-034** entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF A PORTION  
OF MARSH LANE, LOCATED BETWEEN 1175 AND 1190 EAST  
SEVENTH STREET, FROM THE OFFICIAL CITY MAP

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

Respectfully submitted, Members of  
Public Works & Transportation Committee

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

**TREASURER'S REPORT**

The following Treasurer's Report for October 6, 2022 was read into the  
record by City Clerk and upon a motion of Council Member Cabrera, seconded by  
Council Member McCoy, 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.*

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# City of Wilmington



DaWayne Sims  
City Treasurer

## Treasurer's Report October 06, 2022

Cash - Ledger Balance (as of 10/05/2022):

General	M & T Bank	\$ 8,497,304.00
Payroll	M & T Bank	\$ 1,139,556.80
Law Department Court Costs	M & T Bank	\$ 3,957.07
Total Petty Cash	M & T Bank	\$ 6,182.55
Police - Evidence Found (Currency)	M & T Bank	\$ 1,213,956.40
Police & Fire Remembrance	M & T Bank	\$ 9,444.49
Police Department Discretionary	M & T Bank	\$ 19,597.18
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>\$ 11,006,899.33</b>

Cash Equivalents & Investments (as of 10/05/2022):

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%	\$ 14.49	\$ 70,349,343.31
General	TD	ARPA funds*	6	1.76%	\$ 13,180.15	\$ 44,932,323.28
General	TD	High Yield Checking	6	1.76%	\$ 2,655.73	\$ 9,053,639.64
General	TD	High Yield Checking	6	1.76%	\$ 2.04	\$ 6,969.47
General	TD	High Yield Checking	6	1.76%	\$ 9,184.61	\$ 31,311,153.74
<b>SUB-TOTAL:</b>						<b>\$ 155,653,429.44</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	High Yield Checking	6	1.76%	\$ 5,084.89	\$ 17,334,840.92
<b>SUB-TOTAL</b>						<b>\$ 17,334,840.92</b>
<b>RESTRICTED:</b>						
Capital Project	TD	High Yield Checking	6	1.76%	\$ 624.28	\$ 2,128,233.58
Capital Project	TD	High Yield Checking	6	1.76%	\$ 1,274.98	\$ 4,346,534.11
Capital Project	TD	High Yield Checking	6	1.76%	\$ 8,552.56	\$ 29,156,442.88
Water/Sewer	TD	High Yield Checking	6	1.76%	\$ 977.52	\$ 3,332,448.22
State Bonds Proceeds	TD	High Yield Checking	6	1.76%	\$ 1,854.82	\$ 6,323,265.37
<b>SUB-TOTAL</b>						<b>\$ 45,286,924.16</b>
<b>Account Type &amp; Fund</b>	<b>Institution</b>	<b>Investment Type</b>	<b>Maturity Date</b>	<b>Interest Rate</b>	<b>Int. Receiv.</b>	<b>Investment Amount</b>
Police & Fire Remem.	WSFS	CD	1/23/2024	0.15%	\$ 59.18	\$ 25,871.46
<b>Total Investments</b>						<b>\$ 218,301,065.98</b>
<b>Total Cash on Hand</b>						<b>\$ 11,006,899.33</b>
<b>Grand Total</b>						<b>\$ 229,307,965.31</b>

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

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



**DaWayne Sims**  
City Treasurer

**Treasurer's Report - Pensions**  
**October 6, 2022**

**Cash - Ledger Balance (as of 10/05/2022):**

Pension Payroll	M & T Bank	\$	109,205.20
Retiree Healthcare	M & T Bank	\$	1,170,043.90
Police Pension	M & T Bank	\$	3,406.62
Fire Pension	M & T Bank	\$	1,000.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	40,475.79
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
<b>Total Cash on Hand</b>		<b>\$</b>	<b>1,326,724.32</b>

**Cash Equivalents (as of 10/05/2022) & Investments (Market Value as of September 30, 2022)**

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Pension Plan III	WSFS	CD	10/26/2022	1.50%	\$ 370.34	\$ 296,273.26
Fire Pension	TD	CD	10/10/2022	2.50%	\$ 5,912.99	\$ 3,702,046.32
Police Pension	TD	CD	12/5/2022	2.75%	\$ 2,285.59	\$ 1,099,366.63
<b>SUB-TOTAL:</b>						<b>\$ 5,097,686.21</b>
<b>RESERVE:</b>						
Pension Trust	Rhumblin 3000					\$ 47,210,080.00
Pension Trust	Fidelity Market Index					\$ 5,597,753.00
Pension Trust	Edgar Lomax					\$ 14,610,394.00
Pension Trust	Rhumblin 1000					\$ 13,182,420.00
Pension Trust	Earnest Partners					\$ 15,033,409.00
Pension Trust	Dodge & Cox					\$ 12,985,243.00
Pension Trust	Artisan Global					\$ 10,419,233.00
Pension Trust	MFS Low Global					\$ 12,423,235.00
Pension Trust	Hartford Schroder					\$ 3,456,091.00
Pension Trust	Fidelity Total Intl. Index					\$ 11,515,478.00
Pension Trust	Harding Loevner					\$ 1,093,006.00
Pension Trust	Wellington Emerging					\$ 3,078,248.00
Pension Trust	Clarion Lion					\$ 17,233,926.00
Pension Trust	Morgan Stanley					\$ 11,412,196.00
Pension Trust	JP Morgan					\$ 13,000,000.00
Pension Trust	LM Capital Core					\$ 30,509,557.00
Pension Trust	Rhumblin Core					\$ 26,671,055.00
Pension Trust	Fidelity Bond Index					\$ 708,042.00
Pension Trust	Money Market					\$ 878,657.00
Pension Trust	Vanguard-OPEB					\$ 25,850,706.00
<b>SUB-TOTAL</b>						<b>\$ 276,868,729.00</b>
<b>Total Investments</b>						<b>\$ 281,966,415.21</b>
<b>Total Cash on Hand</b>						<b>\$ 1,326,724.32</b>
<b>Grand Total</b>						<b>\$ 283,293,139.53</b>

**Total Funds under Treasury Management:**

Total Investments						\$ 500,267,481.19
Total Cash on Hand						\$ 12,333,623.65
<b>Grand Total<sup>1</sup></b>						<b>\$ 512,601,104.84</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 Members Gray and Cabrera, seconded by Council Member McCoy, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Sympathy former Council Member At-Large Rysheema Dixon
Cabrera	Recognize Crystal Baynard Norman
Cabrera	Recognize Very Reverend Father Michael Murray
Darby	Recognize Landlord Engagement Lab Team
Fields	Recognize Bishop Aretha Morton
Harlee	Sympathy Rose Perkins
Harlee	Recognize Dr. Jackie McCullough
McCoy	Sympathy John Kwiatkowski
McCoy	Sympathy Larry L. Yarbray
McCoy	Recognize I Am My Sister's Keeper Tea Party
Oliver	Sympathy Edward Maggitti
Oliver	Sympathy Bishop James Odell White, Sr.
Oliver	Recognize Lazarus Educational Services, Inc.
Oliver	Recognize Salute to Legendary Riverside Mothers – Second Edition
Oliver	Sympathy Rev. John Theodore Green, Jr.
Oliver	Sympathy Deborah Crisden-Boone
Oliver	Recognize Pastor Appreciation Month
Spadola	Recognize Lights On Afterschool
Spadola	Recognize Peace Week

**PUBLIC COMMENTS**

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

- Jea Street
- Sarah Lester
- Stephanie Lambert
- Sharita
- Renaesha Williams

**LEGISLATIVE BUSINESS**

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

Council Member Darby presented and called for the third and final reading Ordinance No. 21-021 (Agenda #0034) entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO PROVIDE FOR CIVIL FINES FOR OWNERS OF VACANT PROPERTIES WHO FAIL TO REGISTER THEM



Council Member Darby presented a **Substitute** (Rev. 1), in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO PROVIDE FOR CIVIL FINES FOR OWNERS OF VACANT PROPERTIES WHO FAIL TO REGISTER THEM

Upon a motion of Council Member Darby, seconded by Council Member McCoy, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Darby spoke on the purpose of the Substitute Ordinance. Council Members McCoy and Oliver made comments. Council Member Darby made comments. Council Member Oliver made comments. Council Member McCoy made additional comments. Council Member Cabrera made comments. Council Member Oliver requested to be added as a co-sponsor.

President Congo requested the Clerk to call for the roll.

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, Darby, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, Mills and Walsh. Total, three.

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

Council Member Darby presented and called for third and final reading Ordinance No. 22-026 (Agenda #0181) entitled:

AN ORDINANCE NAMING THE CONCORD AND MADISON TRIANGLE AS THE BEATRES R. DUNN TRIANGLE

**Fiscal Impact:** This Ordinance has no significant anticipated fiscal impact.

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

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, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, Mills and Walsh. Total, three.

President Congo declared the Ordinance **adopted**.

Council Member Darby presented and called for the first and second reading Ordinance No. 22-040 (Agenda #0231) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE  
WILMINGTON CITY CODE RELATING TO THE  
CITIZEN COMPLAINT REVIEW BOARD

**FISCAL IMPACT STATEMENT:** The passage of this Ordinance is expected to have minimal to no fiscal impact additional to the establishment of the Board.

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 Public Safety Committee. Motion prevailed.

Council Member Darby **held** Agenda #0230.

Council Member Oliver presented and called for the third and final reading Ordinance No. 22-034 (Agenda #0215) entitled:

AN ORDINANCE TO APPROVE THE REMOVAL OF A  
PORTION OF MARSH LANE, LOCATED BETWEEN  
1175 AND 1190 EAST SEVENTH STREET, FROM THE  
OFFICIAL CITY MAP

**FISCAL IMPACT STATEMENT:** This Ordinance has no negative fiscal impact.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, 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, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, Mills and Walsh. Total, three.

President Congo declared the Ordinance **adopted**.

Council Member Oliver presented Resolution No. 22-064 (Agenda #0232) 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 Department of Public Works (the "Department"), submitted a grant application for the 2022 Hazard Mitigation Assistance grant program ("HMA"), a pass-through grant from the Federal Emergency Management Agency ("FEMA") that will be awarded to the State of Delaware ("DE") and administered by the Delaware Emergency Management Agency ("DEMA") in the amount of \$666,675.00; and

**WHEREAS**, the HMA includes both the Flood Mitigation Assistance and the Building Resilient Infrastructure & Communities grant programs and the purpose of HMA is to provide states, local communities, tribes and territories funding to address high-level future risks to natural disasters to foster greater community resilience and reduce disaster suffering; and

**WHEREAS**, the Brandywine Creek is highly vulnerable to the effects of both riverine flooding and tidal flooding given its proximity to the coast and outdated drainage infrastructure, which is often unable to accommodate peak stormwater flows and is increasingly subject to blocked outfalls at high tide; and

**WHEREAS**, in September 2021, the remnants of Hurricane Ida caused the Brandywine Creek to overflow, reaching a flood stage of nine feet and causing significant flooding throughout the area and detrimentally impacting surrounding neighborhoods; and

**WHEREAS**, the Department intends to use the grant monies to develop and evaluate flood mitigation alternatives for the Lower Brandywine area by completing a feasibility study, conducting equitable and inclusive community engagement and partnership building activities, developing an early conceptual design, and completing a cost-benefit analysis for a preferred project; and

**WHEREAS**, the City is required to provide matching funds in the approximate amount of twenty-five percent (25%) of the \$666,675.00 total project cost; and

**WHEREAS**, the matching funds, which total \$166,675.00, will be sourced from already budgeted funds; and

**WHEREAS**, the 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 Department's grant application to FEMA/DE/DEMA in the amount of \$666,675.00 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Commissioner of the Department, or her 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, as matching funds required by the grant will be sourced from previously budgeted funds.

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

President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 22-065 (Agenda #0233) 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 Department of Public Works (the "Department"), coordinated with State of Delaware Department of Natural Resources and Environmental Control ("DNREC") to submit a Sewer Overflow & Stormwater Reuse Municipal Grants Program ("OSG Program") 2021 application to the United States Environmental Protection Agency ("EPA"), where DNREC, acting as a pass-through entity for the EPA, will administer the grant in the amount of \$421,250.00; and

**WHEREAS**, the purpose of the OSG Program is to address infrastructure needs in municipalities for sanitary sewer overflows, stormwater management, and combined sewer overflows; and

**WHEREAS**, the City previously worked with developers of two new housing developments at the intersection of 15th Street and Walnut Street that were built by non-profit organizations to aid low income families in order to ensure that the sanitary wastewater and stormwater generated on each property were separated; and

**WHEREAS**, the Department intends to use the grant funds to improve water quality in the Wilmington watershed by continuing to separate stormwater runoff from sewer overflow after the separated stormwater and sanitary sewer piping reach 15th Street (the "Project"); and

**WHEREAS**, in accordance with best management practices, the Project will route the runoff through green stormwater infrastructure of rain gardens, subsurface trenches, and bioswales to reduce the quantity and improve the quality of the storm water prior to discharging into the nearby Brandywine Creek; and

**WHEREAS**, the Project will not only reduce combined sewer overflow, mitigate the quantity and quality of stormwater discharge into the Brandywine Creek, and create a greenspace that will benefit the local community, but it will also incorporate into the construction a park-like amenity to reinforce the mission of the non-profit organizations Urban Artists Exchange, Urban Bike Project, and Cityfest; and

**WHEREAS**, matching funds in the amount of twenty percent (20%) of the \$421,250.00 total project cost are required; and

**WHEREAS**, the matching funds, which amount to \$84,250.00, are provided by previously approved funding; and

**WHEREAS**, the 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 Department's grant application to the State of Delaware Department of Natural Resources and Environmental Control in the amount of \$421,250.00 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Commissioner of the Department, or her 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, as matching funds required by the grant will be sourced from previously approved funds.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, 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, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, Mills and Walsh. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented and called for the first and second reading Ordinance No. 22-041 (Agenda #0234) entitled:

AN ORDINANCE TO REQUIRE THE CREATION,  
PUBLICATION AND MAINTENANCE OF A REVISED  
CITY OF WILMINGTON ORGANIZATION CHART

**FISCAL IMPACT STATEMENT:** This Ordinance has minimal anticipated fiscal impact.

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 Finance and Economic Development Committee. Motion prevailed.

Council Member B. Fields presented and called for the third and final reading Ordinance No. 22-036 (Agenda #0217) entitled:

AN ORDINANCE TO RENAME THE 4<sup>TH</sup> AND RODNEY  
“TOT LOT” AFTER PASTOR LOTTIE LEE-DAVIS

**FISCAL IMPACT STATEMENT:** There is no fiscal impact associated with this Ordinance.

Upon a motion of Council Member B. Fields, seconded by Council Member McCoy, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member B. Fields made comments. Council Member Oliver requested to be added as a co-sponsor. Council Member Gray made comments. Council Member Cabrera requested to be added as a co-sponsor and made comments. Council Members Johnson, McCoy and Oliver made comments. Council Member B. Fields made closing comments.

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, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, Mills and Walsh. Total, three.

President Congo declared the Ordinance **adopted**.

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

Council Member Spadola presented and called for the third and final reading Ordinance No. 22-032 (Agenda #0211) entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY  
CODE TO CREATE A LICENSING FEE PAYMENT  
STRUCTURE FOR STATIONARY ENGINEERS AND  
FIREMEN AND TO REDUCE THE NUMBER OF PERSONS  
ON THE BOARD OF EXAMINING ENGINEERS

Council Member Spadola presented **Substitute No. 1** (Rev. 1) in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY CODE TO CREATE PAYMENT STRUCTURE FOR LICENSING FEES FOR STATIONARY ENGINEERS AND FIREMEN AND TO REDUCE THE NUMBER OF PERSONS ON THE BOARD OF EXAMINING ENGINEERS FROM THREE TO ONE

**FISCAL IMPACT STATEMENT:** The fiscal impact will be minimal.

Upon a motion of Council Member Spadola, seconded by Council Member McCoy, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver stated she had an amendment.

Council Member Oliver stated the following: President Congo, I move to amend the Ordinance, so it allows for two (2) Examining Engineers instead of one (1) and to increase the yearly salary of each Engineer from \$0.00 to \$1,000 each.

Council Member Spadola made a point order on whether he should have had his preliminary comments before the amendment; however, President Congo gave the privilege of the floor to Council Member Oliver.

Council Member Oliver motioned to amend the Substitute in the following four (4) ways:

1. Replace the phrase “a position of examining engineer” in Section 4-241(a) with the phrase “two positions of examining engineers” and replace “a City resident,” whose duty” with “City residents, whose duties” in the same subsection.
2. Replace “examining engineer” with the plural in Sections 4-241, 4-242, 4-243, 4-244, and 4-245.
3. Replace the phrase “three members to one” in the Synopsis and Title to the phrase “three members to two.”
4. Insert the following subsection (g) into Section 4-241 to read as follows: “Each examining engineer shall receive as compensation for their services under this subchapter the sum of \$1,000 each per year.”

Upon a motion of Council Member Oliver, seconded by Council Member Gray, the floor amendment was before the Council for its consideration.

## **ON THE QUESTION ON THE AMENDMENT**

Council Members Gray, Cabrera and Spadola made comments. Council Member Darby raised a question and Council Member Oliver responded. Council Member Gray made additional comments. Council Member Spadola made additional comments. Council Member B. Fields made comments. Council Member Cabrera made additional comments. Council Member Gray made additional comments. President Congo made comments. Council Member Oliver made comments. Council Member McCoy made comments and raised a question, and Council Member Oliver responded. Council Member B. Fields made additional comments. President Congo made additional comments. Council Member Oliver made comments.

President Congo requested the Clerk to call for a roll call on the amendment.

The above-referenced Substitute Ordinance was amended by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Darby, Oliver, B. Fields, and Johnson. Total, five. Nays, Council Members N. Field, Cabrera and Spadola, and Council President. Total, four. Present, Council Member McCoy. Total, one. Absent, Council Members Harlee, Mills and Walsh. Total, three.

While President Congo declared the floor amendment adopted, a point of order was made by Council Member Spadola and a ruling was requested for clarity from the parliamentarian. In addition, Council Member Gray raised a question for clarity. It was duly noted and confirmed by Mr. Zachary Stirparo that the floor amendment passed.

President Congo declared the floor amendment **adopted**.

Council Member Spadola **held** Substitute No. 1 to Ordinance No. 22-032 As Amended. A point of order was made by Council Member Oliver on the legislation being held and a ruling was requested for clarity from the parliamentarian. It was duly noted and confirmed by Mr. Zachary Stirparo that the sponsor of the legislation can hold his legislation.

## **PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: announcements of community events throughout the City; announcement of Education, Youth & Family Services Committee meeting (Oct. 12); announcement of Community Development & Urban Planning Committee meeting (Oct. 19); funeral for former Council Member Rysheema Dixon; Press Conference at jewelry store; upcoming Public Safety Committee meeting (Oct. 10); Blood Drive in memory of firefighters Jerry Fickes, Ardyth Hope and Christopher Leach; City of Wilmington Fall Fest; public comments from 8<sup>th</sup> & Adams Street residents; and including but not limited to, everyone was thanked who joined tonight's meeting whether in-person in Council Chambers or virtually.



**ADJOURNMENT**

Upon a motion of Council Member Cabrera, seconded by Council Members B. Fields and Oliver, Council adjourned at 8:15 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk