

*Wilmington City Council
Wilmington, Delaware
December 8, 2022*

City Council met in regular session with remote participation on the above date at 6:30 p.m., with President Pro Tempore Maria D. Cabrera opening up the meeting. The floor was given to President Congo, who presided over the meeting virtually.

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 Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, ten. Absent with leave, Council Members Darby and Oliver. Total, two.

MINUTES

After reading a portion of the minutes of December 1*, 2022, upon a motion of Council Member McCoy, seconded by Council Member B. Fields, it was moved they be accepted as written. Motion prevailed.

*Note: The date for the prior minutes being read and accepted was inadvertently misstated and noted at the January 5, 2023 Council meeting to be corrected and reflected correctly in the minutes herein.

TREASURER'S REPORT

The following Treasurer's Report for December 8, 2022 was read into the record by City Clerk and upon a motion of Council Member Johnson, seconded by Council Member B. Fields, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 2 to Page 4.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report December 08, 2022

Cash - Ledger Balance (as of 12/07/2022):

| | | | |
|------------------------------------|------------|-----------|----------------------|
| General | M & T Bank | \$ | 8,294,434.00 |
| Payroll | M & T Bank | \$ | 900,353.23 |
| Law Department Court Costs | M & T Bank | \$ | 3,902.07 |
| Total Petty Cash | M & T Bank | \$ | 6,089.35 |
| Police - Evidence Found (Currency) | M & T Bank | \$ | 1,269,575.12 |
| Police & Fire Remembrance | M & T Bank | \$ | 9,444.49 |
| Police Department Discretionary | M & T Bank | \$ | 16,203.78 |
| 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 | | \$ | 10,616,902.88 |

Cash Equivalents & Investments (as of 12/07/2022):

| Account Type & Fund | Institution | Investment Type | Number of Days | Interest Rate | Interest Receivable | Investment Amount |
|---------------------------|-------------|---------------------|----------------|---------------|---------------------|--------------------------|
| LIQUIDITY: | | | | | | |
| General | M&T | Overnight Repo | Daily | 0.01% | \$ 2.57 | \$ 9,214,137.96 |
| General | TD | ARPA funds* | 6 | 2.35% | \$ 12,366.36 | \$ 31,573,696.35 |
| General | TD | High Yield Checking | 6 | 2.35% | \$ 3,559.22 | \$ 9,087,364.59 |
| General | TD | High Yield Checking | 6 | 2.35% | \$ 2.74 | \$ 6,995.43 |
| General | TD | High Yield Checking | 6 | 2.35% | \$ 12,309.22 | \$ 31,427,788.29 |
| SUB-TOTAL: | | | | | | \$ 81,309,982.62 |
| RESERVE: | | | | | | |
| General ¹ | TD | High Yield Checking | 6 | 2.35% | \$ 6,814.77 | \$ 17,399,413.48 |
| SUB-TOTAL | | | | | | \$ 17,399,413.48 |
| RESTRICTED: | | | | | | |
| Capital Project | TD | High Yield Checking | 6 | 2.35% | \$ 836.66 | \$ 2,136,161.27 |
| Capital Project | TD | High Yield Checking | 6 | 2.35% | \$ 1,362.31 | \$ 3,478,237.18 |
| Capital Project | TD | High Yield Checking | 6 | 2.35% | \$ 10,470.02 | \$ 26,731,958.46 |
| Water/Sewer | TD | High Yield Checking | 6 | 2.35% | \$ 1,310.07 | \$ 3,344,861.65 |
| State Bonds Proceeds | TD | High Yield Checking | 6 | 2.35% | \$ 5,980.18 | \$ 15,268,541.71 |
| SUB-TOTAL | | | | | | \$ 50,959,760.27 |
| 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 |
| General | TD | CD | 12/21/2022 | 4.06% | \$ 152,250.00 | \$ 45,000,000.00 |
| Total Investments | | | | | | \$ 194,695,027.83 |
| Total Cash on Hand | | | | | | \$ 10,616,902.88 |
| Grand Total | | | | | | \$ 205,311,930.71 |

¹ 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

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

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I December 8, 2022

Cash - Ledger Balance (as of 12/07/2022):

| | | | |
|--|------------|-----------|---------------------|
| Pension Payroll | M & T Bank | \$ | 34,121.62 |
| Retiree Healthcare | M & T Bank | \$ | 548,057.93 |
| Police Pension | M & T Bank | \$ | 1,306,488.78 |
| Fire Pension | M & T Bank | \$ | 1,506,462.95 |
| Non-Uniform Pension Act of 1990-Plan 3 | M & T Bank | \$ | 309,523.32 |
| 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 | | \$ | 3,707,247.41 |

Cash Equivalents (as of 12/07/2022) & Investments (Market Value as of December 02, 2022)

| Account Type & Fund | Institution | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---------------------|----------------------------|-----------------|---------------|---------------|---------------------|------------------------|
| LIQUIDITY: | | | | | | |
| Fire Pension | TD | CD | 12/9/2022 | 3.31% | \$ 10,280.94 | \$ 2,227,229.87 |
| SUB-TOTAL: | | | | | | \$ 2,227,229.87 |
| RESERVE: | | | | | | |
| Pension Trust | Rhumblin 3000 | | | | | \$ 53,648,917.00 |
| Pension Trust | Fidelity Market Index | | | | | \$ 4,214,165.00 |
| Pension Trust | Edgar Lomax | | | | | \$ 17,253,082.00 |
| Pension Trust | Rhumblin 1000 | | | | | \$ 14,567,389.00 |
| Pension Trust | Earnest Partners | | | | | \$ 17,346,722.00 |
| Pension Trust | Dodge & Cox | | | | | \$ 15,201,708.00 |
| Pension Trust | Artisan Global | | | | | \$ 11,777,536.00 |
| Pension Trust | MFS Low Global | | | | | \$ 14,156,363.00 |
| Pension Trust | Hartford Schroder | | | | | \$ 4,070,209.00 |
| Pension Trust | Fidelity Total Intl. Index | | | | | \$ 13,563,163.00 |
| Pension Trust | Harding Loevner | | | | | \$ 1,284,226.00 |

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

DocuSigned by:

DaWayne Sims
DaWayne Sims, City Treasurer
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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II
December 8, 2022

Investments (Market Value as of December 02, 2022)

| Account Type & Fund | Institution | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---|---------------------|-----------------|---------------|---------------|---------------------|--------------------------|
| RESERVE: | | | | | | |
| Pension Trust | Wellington Emerging | | | | | \$ 3,450,295.00 |
| Pension Trust | Clarion Lion | | | | | \$ 16,596,849.00 |
| Pension Trust | Morgan Stanley | | | | | \$ 11,405,429.00 |
| Pension Trust | JP Morgan | | | | | \$ 13,319,190.00 |
| Pension Trust | LM Capital Core | | | | | \$ 31,674,867.00 |
| Pension Trust | Rhumblin Core | | | | | \$ 27,846,672.00 |
| Pension Trust | Fidelity Bond Index | | | | | \$ 3,931,193.00 |
| Pension Trust | Money Market | | | | | \$ 579,235.00 |
| Pension Trust | Vanguard-OPEB | | | | | \$ 28,606,348.00 |
| SUB-TOTAL | | | | | | \$ 304,493,558.00 |
| Total Investments | | | | | | \$ 306,720,787.87 |
| Total Cash on Hand | | | | | | \$ 3,707,247.41 |
| Grand Total | | | | | | \$ 310,428,035.28 |
| Total Funds under Treasury Management: | | | | | | |
| Total Investments | | | | | | \$ 501,415,815.70 |
| Total Cash on Hand | | | | | | \$ 14,324,150.29 |
| Grand Total¹ | | | | | | \$ 515,739,965.99 |

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

DocuSigned by:

DaWayne Sims
DaWayne Sims, City Treasurer
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NON-LEGISLATIVE BUSINESS

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

| | |
|-----------|--|
| Congo | Recognize Breastfeeding Coalition of Delaware (Community Baby Shower/Postpartum Celebration) |
| B. Fields | Sympathy Michael "Kool-Aid" Bowles |
| Harlee | Recognize Old Swedes Wreaths Across America |
| Oliver | Sympathy Vincent Patton |
| Oliver | Sympathy James V. Tigani, II |
| Oliver | Sympathy Harriet Denise Brock |

PUBLIC COMMENTS

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

- o Deacon Earl Tate
- o D. Marque Hall
- o Brandon Fletcher
- o Jonathan Oak (virtually)

LEGISLATIVE BUSINESS

President Congo dispensed from calling each Councilmembers name for legislative business.

Substitute No. 1 to Ordinance No. 21-024 (Rev. 1, Agenda #0057) was **held.**

Council Member Harlee presented and called for the first and second reading Ordinance No. 22-049 (Agenda #0219) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE TO EXTEND THE FIRE LANE ALONG
THE ENTIRE EXTENSION OF CHRISTINA LANDING
DRIVE

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 Harlee, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Council Member Harlee presented and called for the first and second reading Ordinance No. 22-050 (Agenda #0257) entitled:

AN ORDINANCE TO REZONE FOURTEEN PARCELS OF LAND WITHIN THE AREA GENERALLY BOUNDED BY MARYLAND AVENUE, THE AMTRAK RAILROAD CORRIDOR, I-95, AND LOWER ELM STREET FROM A ZONING CLASSIFICATION OF M-1 (LIGHT MANUFACTURING) TO A ZONING CLASSIFICATION OF C-2 (SECONDARY BUSINESS CENTERS)

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

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

Council Member Harlee presented Resolution No. 22-080 (Agenda #0258) as follows:

WHEREAS, on December 8, 2022, an ordinance (the “Ordinance”) was introduced before City Council proposing an amendment to the “Building Zone Map of Wilmington, Delaware” to change the zoning classification of fourteen parcels of land located within the area generally bounded by Maryland Avenue, the Amtrak Railroad Corridor, I-95, and Lower Elm Street (being Tax Parcel Nos. 26-042.20-015, 26-042.20-016, 26-042.20-017, 26-042.20-018, 26-042.20-019, 26-042.20-020, 26-042.20-021, 26-042.20-023, 26-042.20-024, 26-042.20-025, 26-042.20-026, 26-042.20-027, 26-042.20-095, and 26-042.20-096) from a zoning classification of M-1 (Light Manufacturing) to a zoning classification of C-2 (Secondary Business Centers); and

WHEREAS, the City Planning Commission is scheduled to consider the rezoning proposed in the Ordinance at its December 13, 2022 regular meeting, after holding a duly advertised public hearing; and

WHEREAS, City Code Section 48-51 requires that a duly advertised public hearing be held by City Council prior to the adoption of the Ordinance; and

WHEREAS, City Council proposes to schedule a public hearing for review of the Ordinance, or a substitute thereto, to be duly advertised in conformity with 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 Council hereby schedules a public hearing on the Ordinance, or a substitute thereto, to be held on January 19, 2023 at 6:30 p.m. in the City Council Chambers to consider the Ordinance’s proposal to rezone fourteen parcels of land located within the area generally bounded by Maryland Avenue, the Amtrak Railroad Corridor, I-95, and Lower Elm Street (being Tax Parcel Nos. 26-042.20-015, 26-042.20-016, 26-042.20-017, 26-042.20-018, 26-042.20-019, 26-042.20-020, 26-042.20-021, 26-042.20-

023, 26-042.20-024, 26-042.20-025, 26-042.20-026, 26-042.20-027, 26-042.20-095, and 26-042.20-096) from a zoning classification of M-1 (Light Manufacturing) to a zoning classification of C-2 (Secondary Business Centers).

BE IT FURTHER RESOLVED that members of the public will be allowed to participate in the public hearing (i) in person in the City Council Chambers and (ii) virtually in accordance with 29 *Del. C.* § 10006A. The instructions for virtual participation will be provided on the agenda for the January 19, 2023 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 Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution.

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

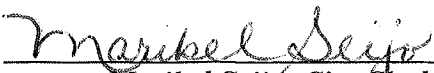
President Congo declared the Resolution **adopted**.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: announcements of community events throughout the various districts; the need to call for point of order during public comments; packages being stolen (porch pirates) especially during this time of the year; reminder to not leave cars running with keys in it; everyone was informed to stay tune for public safety initiatives with Collective Group; step-down of Police Chief Robert Tracy and best wishes were expressed to him and his family; Council colleagues, staff, city employees and first responders were thanked for all they do; while everyone was encouraged to support local entrepreneurs, everyone was also reminded that the holidays should not be the only time to serve the community; and including but not limited to everyone was wished a happy and safe holiday.

ADJOURNMENT

Upon a motion of Council Member Harlee, seconded by Council Member B. Fields, Council adjourned at 7:25 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk