

*Wilmington City Council  
Wilmington, Delaware  
February 23, 2023*

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

**MINUTES**

After reading a portion of the minutes of February 2, 2023, upon a motion of Council Member Cabrera, seconded by Council Member White, it was moved they be accepted as written. Motion prevailed.

**COMMITTEE REPORTS**

The City Clerk read the following committee report:

| <b>Public Works &amp; Transportation<br/>Committee Member</b> | <b>Present</b> | <b>Absent w/ Leave</b> | <b>Absent<br/>w/out Leave</b> |
|---------------------------------------------------------------|----------------|------------------------|-------------------------------|
| Zanthia Oliver, Chair                                         | x              |                        |                               |
| Vincent M. White, Vice Chair                                  | x              |                        |                               |
| Latisha Bracy                                                 | 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

February 15, 2023

Ladies and Gentlemen:

We, your Public Works & Transportation Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-006** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE THE  
FIRST AMENDMENT TO CONTRACT 23008WDPS (WATER  
DIVISION BUILDING/RACEWAY AND FACILITIES  
MANAGEMENT AND MAINTENANCE SERVICES) BETWEEN  
THE CITY OF WILMINGTON AND MERIT CONSTRUCTION  
ENGINEERS, INC.

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

#### **TREASURER'S REPORT**

The following Treasurer's Report for February 23, 2023 was read into the  
record by City Clerk and upon a motion of Council Member Cabrera, seconded by  
Council Member Johnson, 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 5.*

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report March 02, 2023

### Cash - Ledger Balance (as of 03/01/2023):

|                                    |            |           |                      |
|------------------------------------|------------|-----------|----------------------|
| General                            | M & T Bank | \$        | 8,106,558.00         |
| Payroll                            | M & T Bank | \$        | 1,389,444.80         |
| Law Department Court Costs         | M & T Bank | \$        | 4,132.07             |
| Total Petty Cash                   | M & T Bank | \$        | 6,020.91             |
| Police - Evidence Found (Currency) | M & T Bank | \$        | 1,198,014.97         |
| Police & Fire Remembrance          | M & T Bank | \$        | 10,644.49            |
| Police Department Discretionary    | M & T Bank | \$        | 25,037.19            |
| 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>10,856,753.27</b> |

### Cash Equivalents & Investments (as of 03/01/2023):

| 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%         | \$ 5.47             | \$ 16,922,089.10         |
| General                   | TD          | High Yield Checking | 6              | 2.84%         | \$ 4,329.62         | \$ 9,147,076.14          |
| General                   | TD          | High Yield Checking | 6              | 2.84%         | \$ 3.33             | \$ 7,041.39              |
| General                   | TD          | High Yield Checking | 6              | 2.84%         | \$ 10,211.13        | \$ 21,572,811.63         |
| <b>SUB-TOTAL:</b>         |             |                     |                |               |                     | <b>\$ 47,649,018.26</b>  |
|                           |             |                     |                |               |                     |                          |
| 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                  | 4/21/2023      | 4.67%         | \$ 354,089.99       | \$ 45,493,360.87         |
| General                   | TD          | CD*                 | 4/17/2023      | 4.64%         | \$ 232,098.69       | \$ 29,044,607.76         |
| <b>SUB-TOTAL:</b>         |             |                     |                |               |                     | <b>\$ 74,563,840.09</b>  |
|                           |             |                     |                |               |                     |                          |
| <b>RESERVE:</b>           |             |                     |                |               |                     |                          |
| General <sup>1</sup>      | TD          | CD                  | 8/14/2023      | 4.91%         | \$ 431,846.93       | \$ 17,493,321.25         |
| <b>SUB-TOTAL:</b>         |             |                     |                |               |                     | <b>\$ 17,493,321.25</b>  |
|                           |             |                     |                |               |                     |                          |
| <b>RESTRICTED:</b>        |             |                     |                |               |                     |                          |
| Capital Project           | TD          | CD                  | 4/17/2023      | 4.64%         | \$ 17,162.43        | \$ 2,147,690.52          |
| Capital Project           | TD          | CD                  | 4/17/2023      | 4.64%         | \$ 27,944.99        | \$ 3,497,009.85          |
| Capital Project           | TD          | CD                  | 4/17/2023      | 4.64%         | \$ 214,770.99       | \$ 26,876,235.67         |
| Water/Sewer               | TD          | CD                  | 8/14/2023      | 4.91%         | \$ 83,018.21        | \$ 3,362,914.47          |
| State Bonds Proceeds      | TD          | CD                  | 4/17/2023      | 4.64%         | \$ 100,776.85       | \$ 12,611,118.09         |
| <b>SUB-TOTAL</b>          |             |                     |                |               |                     | <b>\$ 48,494,968.60</b>  |
|                           |             |                     |                |               |                     |                          |
| <b>Total Investments</b>  |             |                     |                |               |                     | <b>\$ 188,201,148.20</b> |
| <b>Total Cash on Hand</b> |             |                     |                |               |                     | <b>\$ 10,856,753.27</b>  |
| <b>Grand Total</b>        |             |                     |                |               |                     | <b>\$ 199,057,901.47</b> |

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

DaWayne Sims 3/2/2023

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions I March 2, 2023

### Cash - Ledger Balance (as of 03/01/2023):

|                                        |            |           |                     |
|----------------------------------------|------------|-----------|---------------------|
| Pension Payroll                        | M & T Bank | \$        | 376,030.26          |
| Retiree Healthcare                     | M & T Bank | \$        | 469,788.99          |
| Police Pension                         | M & T Bank | \$        | 436,941.25          |
| Fire Pension                           | M & T Bank | \$        | 1,000.00            |
| Non-Uniform Pension Act of 1990-Plan 3 | M & T Bank | \$        | 1,813.93            |
| 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>1,288,167.24</b> |

### Cash Equivalents (as of 03/01/2023) & Investments (Market Value as of February 24, 2023)

| Account Type & Fund | Institution                | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount      |
|---------------------|----------------------------|-----------------|---------------|---------------|---------------------|------------------------|
| <b>LIQUIDITY:</b>   |                            |                 |               |               |                     |                        |
| Fire Pension        | TD                         | CD              | 3/10/2023     | 4.56%         | \$ 8,262.04         | \$ 2,249,194.14        |
| <b>SUB-TOTAL:</b>   |                            |                 |               |               |                     | <b>\$ 2,249,194.14</b> |
| <b>RESERVE:</b>     |                            |                 |               |               |                     |                        |
| Pension Trust       | Rhumblin 3000              |                 |               |               |                     | \$ 52,687,325.00       |
| Pension Trust       | Fidelity Market Index      |                 |               |               |                     | \$ 3,643,185.00        |
| Pension Trust       | Edgar Lomax                |                 |               |               |                     | \$ 15,263,525.00       |
| Pension Trust       | Rhumblin 1000              |                 |               |               |                     | \$ 14,361,311.00       |
| Pension Trust       | Earnest Partners           |                 |               |               |                     | \$ 16,534,245.00       |
| Pension Trust       | Dodge & Cox                |                 |               |               |                     | \$ 15,477,515.00       |
| Pension Trust       | Artisan Global             |                 |               |               |                     | \$ 11,564,387.00       |
| Pension Trust       | MFS Low Global             |                 |               |               |                     | \$ 12,994,145.00       |
| Pension Trust       | Hartford Schroder          |                 |               |               |                     | \$ 4,157,300.00        |
| Pension Trust       | Fidelity Total Intl. Index |                 |               |               |                     | \$ 12,174,962.00       |
| Pension Trust       | Harding Loevner            |                 |               |               |                     | \$ 1,271,575.00        |

DocuSigned by:

*DaWayne Sims* 3/2/2023

DaWayne Sims, City Treasurer

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions II March 2, 2023

Investments (Market Value as of February 24, 2023)

| Account Type & Fund       | Institution         | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---------------------------|---------------------|-----------------|---------------|---------------|---------------------|-------------------|
| <b>RESERVE:</b>           |                     |                 |               |               |                     |                   |
| Pension Trust             | Wellington Emerging |                 |               |               |                     | \$ 2,692,688.00   |
| Pension Trust             | Clarion Lion        |                 |               |               |                     | \$ 15,174,893.00  |
| Pension Trust             | Morgan Stanley      |                 |               |               |                     | \$ 10,518,915.00  |
| Pension Trust             | JP Morgan           |                 |               |               |                     | \$ 13,758,723.00  |
| Pension Trust             | LM Capital Core     |                 |               |               |                     | \$ 31,242,719.00  |
| Pension Trust             | Rhumblin Core       |                 |               |               |                     | \$ 27,305,460.00  |
| Pension Trust             | Fidelity Bond Index |                 |               |               |                     | \$ 2,579,866.00   |
| Pension Trust             | Money Market        |                 |               |               |                     | \$ 1,346,337.00   |
| Pension Trust             | Vanguard-OPEB       |                 |               |               |                     | \$ 28,348,413.00  |
| <b>SUB-TOTAL</b>          |                     |                 |               |               |                     | \$ 293,097,489.00 |
| <b>Total Investments</b>  |                     |                 |               |               |                     | \$ 295,346,683.14 |
| <b>Total Cash on Hand</b> |                     |                 |               |               |                     | \$ 1,288,167.24   |
| <b>Grand Total</b>        |                     |                 |               |               |                     | \$ 296,634,850.38 |

### Total Funds under Treasury Management:

|                                |  |  |  |  |  |                   |
|--------------------------------|--|--|--|--|--|-------------------|
| <b>Total Investments</b>       |  |  |  |  |  | \$ 483,547,831.34 |
| <b>Total Cash on Hand</b>      |  |  |  |  |  | \$ 12,144,920.51  |
| <b>Grand Total<sup>1</sup></b> |  |  |  |  |  | \$ 495,692,751.85 |

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

DocuSigned by:

*DaWayne Sims* 2/2/2023

7768CA8083E8468  
DaWayne Sims, City Treasurer

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## **NON-LEGISLATIVE BUSINESS**

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

a. Recognition Resolutions

|        |                                                                |
|--------|----------------------------------------------------------------|
| Congo  | Recognize Dr. Julius Garvey (in honor of Marcus Mosiah Garvey) |
| Congo  | Recognize Black History Month                                  |
| Congo  | Recognize Edwina Bell                                          |
| Oliver | Recognize Michael A. Carty (Retirement)                        |

b. Sympathy Resolutions

|             |                                    |
|-------------|------------------------------------|
| All Council | Sympathy Bishop Aretha E. Morton   |
| Oliver      | Sympathy Richard Joseph Haile      |
| Oliver      | Sympathy Mary Magdlene Black-Smith |
| Oliver      | Sympathy Elizabeth Henry           |

## **PUBLIC COMMENTS**

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

- Ryan Dunlap
- Priscilla Sirmans
- Brandon Fletcher

## **LEGISLATIVE BUSINESS**

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

Council Member Darby presented Resolution No. 23-011 (Agenda #0277) as follows:

**WHEREAS**, the Wilmington City Council wishes to express support for House Bill No. 37 (HB No. 37), An Act to Amend Title 25 of the Delaware Code Relating to Landlord Obligations and Tenant Remedies, which allows tenants to withhold rent payments or pay rent into an escrow account if a landlord fails to rectify essential maintenance issues; and

**WHEREAS**, § 5305 of the Delaware Code requires that “at all times during the tenancy,” a rental unit must not endanger the health, welfare, or safety of the tenants or occupants. HB No. 37 provides recourse for tenants if such conditions are not

met, while also providing further assurance that landlords receive outstanding rent balances expeditiously when the problems in dispute have been rectified; and

**WHEREAS**, it is the policy of this State that an effective mechanism is established for the repair and prevention of dangerous conditions and defects in leased premises and that meaningful sanctions are imposed on landlords who allow such conditions to exist. HB No. 37 permits tenants to bring an action of rent escrow to pay rent into the court or to refuse to pay rent and cite the existence of such defects or conditions as an affirmative defense to an action for summary possession or an action for nonpayment of rent; and

**WHEREAS**, HB No. 37 further requires that tenants give proper notice and a reasonable opportunity for the landlord to complete the necessary repairs. This Act authorizes the Court to evaluate whether tenants' claims are substantiated and make appropriate deliberations, which may include "termination of the lease and return of the leased premises to the landlord, order that the action for rent escrow be dismissed, order that the amount of rent be reduced in an amount determined by the court to be fair and equitable, or order the landlord to make the repairs or correct the conditions complained of by the tenant"; and

**WHEREAS**, the United States Census estimated that from 2017-2021, more than half of Wilmington's residents were renters. The risks of living in substandard housing are compounded for renters who must depend on landlords to make critical repairs to their residences. Standard lease agreements preclude renters from making major modifications to their residences without the landlords' permission. This also implies that renters often lack the legal standing to qualify for home repair assistance programs to subsidize home maintenance costs; and

**WHEREAS**, 73% of the City's housing stock was built prior to 1970. According to an assessment of housing repair needs conducted by the University of Delaware Center for Community Research and Service, areas of inner-city Wilmington are particularly susceptible to the presence of substandard housing due to the advanced age of the housing stock, elevated poverty levels, and the housing challenges faced by predominantly Black and Latino populations. It sets an acceptable standard for good faith negotiations between tenants and landlords, while also providing access to arbitration for both landlords and tenants in matters concerning health and safety risks to tenants; and

**WHEREAS**, the 2022-2025 Strategic Plan of the Council of the City of Wilmington aims to cultivate a "Stabilized Wilmington" and "Growing Wilmington" where neighborhood stabilization and revitalization are key priorities. HB No. 37 is complimentary to both these goals because it bolsters our City's ability to safeguard residents' rights to dignity and humane living conditions for all Wilmingtonians, regardless of their economic status, race, ethnicity, or other protected factors.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Legislative body is in support of House Bill No. 37, which provides guidance and protections to both landlords and tenants when life- or health-threatening defects are present in a renter's place of residence.

**BE IT FURTHER RESOLVED** this Council encourages the Delaware General Assembly to support this important provision to help safeguard access to adequate housing and quality of life for renters in the City of Wilmington and throughout the State of Delaware.

Upon a motion of Council Member Darby, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Darby spoke on the purpose of the Resolution and made comments. Council Member Johnson requested to be added as a co-sponsor and made comments. Council Member Darby 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 White, Darby, McCoy, Johnson, Cabrera and Bracy, and Council President Congo. Total, seven. Nays, Council Members Oliver, B. Fields and Mills. Total, three. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Darby presented Resolution 23-001 As Amended (Agenda #0259, Rev. 1) as follows:

**WHEREAS**, Wilm. Ch. (Charter) § 1-101 grants the City broad powers of local self-government under home rule authority, which includes the authority to enforce its legislation “by the imposition of fines, forfeitures, penalties and imprisonment”; and

**WHEREAS**, Wilm. Ch. § 1-102 vests the legislative power of the City in City Council; and

**WHEREAS**, Wilm. Ch. § 2-300 states that it is “the duty of the council, at least thirty (30) days before the end of the fiscal year, to adopt the annual operating budget ordinance for the next fiscal year”; and

**WHEREAS**, Wilm. Ch. § 2-302 requires that “[n]ot later than the passage of the annual operating budget ordinance, the council shall ordain such revenue measures as will, in the opinion of the mayor, yield sufficient revenue to balance the budget”; and

**WHEREAS**, nevertheless, City Council recognizes the fundamental role of examining fees, fines, and administrative sanctions imposed by the City’s various departments because of the potential impact on residents, visitors, and businesses in the City; and

**WHEREAS**, this includes, but is not limited to, the City’s Department of Finance in the department’s pursuit of fairly and equitably enforcing parking requirements and restrictions in the City, the City’s Department of Licenses & Inspections’ granting of business licenses and collecting inspection fees in the department’s pursuit of ensuring proper business operations and preventing housing code violations, as well as those fines and fees imposed by the City’s Fire Marshal’s Office; and

**WHEREAS**, in consultation with the National Association for the Advancement of Colored People (“NAACP”), the Delaware Center for Justice (“DCJ”), Network Delaware and its Campaign to End Debtors’ Prison, the Latin American Community Center (“LACC”), the nonprofit, public interest law firm Institute for Justice (“IJ”), and the American Automobile Association (“AAA”), City Council has questions

and concerns about the implementation and oversight of parking enforcement in the City, including towing and booting fees and fines; and

**WHEREAS**, City Council deems it prudent to create a taskforce to review fees, fines, and administrative sanctions administered by the City in order to ensure fairness in the administrative process. \*

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this Legislative body names the following individuals to serve on the taskforce of City Council to review fees, fines, and administrative sanctions in the City: District 2 Council Member, Shané N. Darby; Finance & Economic Development Committee Chair, Christofer C. Johnson; Council Member At-Large, Maria D. Cabrera; Shyanne Miller of Network Delaware; Coby Owens of the National Association for the Advancement of Colored People; Kailyn Richards of Delaware Center for Justice; Haneef Saleem of South Bridge Civic Association; Jennifer Thompkins of Wilmington Urban League; Christian Willauer of the Fifth District Neighborhood Planning Council; David Ross, 4th District Neighborhood Planning Council; and Andre Harris, 3<sup>rd</sup> District Civic Association.

**BE IT FURTHER RESOLVED**, the Chair shall convene the first meeting of the Taskforce sixty (60) days following the effective date of this Resolution. A quorum of the Taskforce is a majority of the members and is necessary for the Taskforce to conduct business at the meeting. Following its first meeting, the Taskforce shall meet at least once every February. If necessary, the Chair may convene additional meetings with an agreement of a majority of the Taskforce.

**BE IT FURTHER RESOLVED**, the purpose of the Taskforce is to review fees, fines, and administrative sanctions administered by the City, make findings, and, if the Taskforce determines that changes are necessary, submit recommendations to City Council. The recommendation must be written and provide the required data points for any recommended changes, such as the fiscal impact and how any deficiency in the budget resulting from the lowering of fees will be covered. The Taskforce will begin its review process by developing an inventory of all fees, fines, and administrative sanctions imposed by any City department, division, or agency as well as determine when such measures were last reviewed and whether the measures are consistent with the department's stated goals. When requested, the relevant City department will make a good faith effort to provide data and information to the Taskforce.

**BE IT FURTHER RESOLVED**, the Taskforce shall make its first findings and recommendations, if any, to the City Council within one-hundred and eighty (180) days of its appointment.

**FLOOR AMENDMENT\* FROM JANUARY 5<sup>TH</sup> COUNCIL MEETING**

On Page 2, the first whereas clause, add the following sentence:

- Any data provided to the taskforce is limited to non-confidential information that is permissible by request for freedom of information (FOIA).

**The new whereas clause now reads as follows:**

**WHEREAS**, City Council deems it prudent to create a taskforce to review fees, fines, and administrative sanctions administered by the City in order to ensure fairness in the administrative process. Any data provided to the taskforce is limited to non-confidential information that is permissible by request for freedom of information (FOIA).

*Note: Resolution 23-001 As Amended, was previously discussed and held at the January 5<sup>th</sup> Council meeting.*

Upon a motion of Council Member Darby, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Darby 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 Darby, McCoy, Cabrera and Bracy, and Council President Congo. Total, five. Nays, Council Members Oliver, B. Fields and Mills. Total, three. Present, Council Members White and Johnson. Total, two. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

After deliberation with Parliamentarian John Hawley as it relates to the vote on the above-referenced Resolution, President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 23-012 (Agenda #0278) as follows:

**WHEREAS**, City Council enacted City Code Section 2-232 establishing procedures for the Chief of the Wilmington Police Department to call for the commencement of an academy class if the manpower of the Police Department falls below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the annual operating budget ordinance for the applicable fiscal year; and

**WHEREAS**, on May 19, 2022, Council approved the annual operating budget ordinance for fiscal year 2023 (the "Budget Ordinance"); and

**WHEREAS**, the Chief of the Police Department has represented that the manpower of the Police Department has fallen below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the Budget Ordinance; and

**WHEREAS**, pursuant to City Code Section 2-232(b), the Chief of the Police Department has drafted a resolution calling for the commencement of an academy class for the Police Department and presented it to City Council for its review.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council hereby recognizes that the Chief of the Police Department has represented that the manpower of the Police Department has fallen below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the Budget Ordinance and has drafted a resolution calling for the commencement of an academy class for the Police Department.

Upon a motion of Council Member Oliver, seconded by Council Member White, 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 White, Oliver, B. Fields, McCoy, Johnson, Cabrera, Mills and Bracy, and Council President Congo. Total, nine. Nays, Council Member Darby. Total, one. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 23-013 (Agenda #0279) 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 City, through the Wilmington Police Department, has submitted a grant application to the State of Delaware Department of Safety and Homeland Security for funding from the State Aid to Local Law Enforcement (SALLE) grant program in the amount of \$60,202.00; and

**WHEREAS**, the proposed grant funding would be used to cover the cost of providing advanced and specialized training for police officers; and

**WHEREAS**, no matching funds are required; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department's grant application to the State of Delaware Department of Safety and Homeland Security in the total amount of \$60,202.00 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 because no local matching funds are required by this grant.

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 Darby raised a question and Council Member Oliver responded. Council Member Darby made comments. Council Members Johnson, Cabrera and Bracy also made comments. President Congo made comments. Council Member Oliver 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 White, Oliver, B. Fields, McCoy, Johnson, Cabrera, Mills and Bracy, and Council President Congo. Total, nine. Nays, Council Member Darby. Total, one. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 23-014 (Agenda #0280) 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 City, through the Wilmington Police Department, has submitted a grant application to the State of Delaware Emergency Illegal Drug Enforcement (EIDE) program; and

**WHEREAS**, the Wilmington Police Department is eligible for \$32,925.60 in grant funding, which would be used support specialized drug investigations through covering overtime costs; and

**WHEREAS**, no local matching funds are required; and

**WHEREAS**, in applying for this funding, the Wilmington Police Department seeks to continue its efforts to secure funding from other entities to help offset the fiscal impact of crime prevention activities on the City's operating budget; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department's grant application to the State of Delaware Emergency Illegal Drug Enforcement program is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 because no local matching funds are required by this grant.

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 and made comments. Council Members Darby, Johnson and McCoy made comments. Council Member Oliver 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 White, Oliver, B. Fields, McCoy, Johnson, Cabrera, Mills and Bracy, and Council President Congo. Total, nine. Nays, Council Member Darby. Total, one. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented and called for the third and final reading Ordinance No. 23-006 (Agenda #0268) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE THE  
FIRST AMENDMENT TO CONTRACT 23008WDPS  
(WATER DIVISION BUILDING/RACEWAY AND  
FACILITIES MANAGEMENT AND MAINTENANCE  
SERVICES) BETWEEN THE CITY OF WILMINGTON  
AND MERIT CONSTRUCTION ENGINEERS, INC.

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is an amendment with an estimated maximum price of One Million Six Hundred Twenty-Two Thousand Six Hundred Dollars (\$1,622,600.00) for each of Fiscal Years 2024 and 2025 and an estimated maximum price of One Million Six Hundred Twenty-Two Thousand Six Hundred Dollars (\$1,622,600.00) plus increased costs, if any, not to exceed the Consumer Price Index – Urban (CPI-U) for all urban consumers for all items in the Wilmington Metropolitan Area for the prior year for each of Fiscal Years 2026 and 2027.

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 Resolution.

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

President Congo declared the Ordinance **adopted**.

Council Member Cabrera presented and called for third and final reading Ordinance No. 22-047 (Agenda #0249) entitled:

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CITY  
CODE TO IMPOSE CIVIL FINES ON OWNERS OF  
VACANT PROPERTIES

**FISCAL IMPACT STATEMENT:** The fiscal impact as a result of the changes implemented by this Ordinance is unknown.

Upon a motion of Council Member Cabrera, seconded by Council Members McCoy and White, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Cabrera spoke on the purpose of the Ordinance and made comments. Council Member Johnson requested to be added as a co-sponsor and made comments. Council Member Mills made comments and requested to be added as a co-sponsor. Council Member White also requested to be added as a co-sponsor and made comments. Council Members McCoy and Darby made comments. Council Member Cabrera 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 White, Darby, B. Fields, McCoy, Johnson, Cabrera, Mills and Bracy, and Council President Congo. Total, nine. Nays, none. Present, Council Member Oliver. Total, one. Absent, Council Members Harlee, N. Field and Spadola. Total, three.

President Congo declared the Ordinance **adopted**.

### **PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: Fines and Fees workgroup website; PAL Center; funeral service for Bishop Aretha Morton; water/electric bill issues; announcements of community events and community meetings; Wilmington Fire Department Explorer Program; Wilmington Police Department Academy; new round of grants; Disparity Study; and including but not limited to, everyone was thanked for attending tonight's meeting whether in-person or virtually.

### **ADJOURNMENT**

Upon a motion of Council Members Cabrera and Bracy, seconded by Council Members Johnson and McCoy, Council adjourned at 8:17 p.m. Motion prevailed.

Attest: Maribel Seijo  
Maribel Seijo, City Clerk