

*Wilmington City Council
Wilmington, Delaware
April 20, 2023*

City Council met in regular session with remote participation on the above date at 6:35 p.m., with President Pro Tempore Maria D. Cabrera opening up the meeting. The floor was given to President Ernest “Trippi”, Congo II, 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 White, Darby (virtual), Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo (virtual). Total, twelve. Absent with leave, Council Member Harlee. Total, one.

MINUTES

After reading a portion of the minutes of April 6, 2023, 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:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	x		
Michelle Harlee, Vice Chair	x		
Latisha Bracy	x		
Nathan Field	x		
Zanthia Oliver	x		
James Spadola	x		
Ernest “Trippi” Congo, Ex-Officio	x		

President and Members of Council of
The City of Wilmington

March 6, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-007** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE
TO PROHIBIT CITY COUNCIL FROM HIRING CLOSE RELATIVES
OF CURRENTLY SITTING CITY COUNCIL MEMBERS

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

Respectfully submitted, Members of
Finance & Economic Development Committee

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

TREASURER'S REPORT

The following Treasurer's Report for April 20, 2023 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 3 to Page 5.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report April 20, 2023

Cash - Ledger Balance (as of 04/19/2023):

General	M & T Bank	\$ 8,481,936.00
Payroll	M & T Bank	\$ 1,537,551.06
Law Department Court Costs	M & T Bank	\$ 4,652.07
Total Petty Cash	M & T Bank	\$ 6,005.73
Police - Evidence Found (Currency)	M & T Bank	\$ 1,254,336.47
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 29,402.94
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		\$ 11,441,429.60

Cash Equivalents & Investments (as of 04/19/2023):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	0.01%	\$ 4.25	\$ 16,693,126.24
General	TD	High Yield Checking	13	4.04%	\$ 13,397.00	\$ 9,183,012.74
General	TD	High Yield Checking	13	4.04%	\$ 10.31	\$ 7,069.05
General	TD	High Yield Checking	13	4.04%	\$ 31,595.98	\$ 21,657,565.88
SUB-TOTAL:						\$ 47,540,773.91
RESTRICTED:						
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
SUB-TOTAL:						\$ 74,563,840.09
RESERVE:						
General ¹	TD	CD	8/14/2023	4.91%	\$ 431,846.93	\$ 17,493,321.25
SUB-TOTAL:						\$ 17,493,321.25
RESTRICTED:						
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
SUB-TOTAL						\$ 48,494,968.60
Total Investments						\$ 188,092,903.85
Total Cash on Hand						\$ 11,441,429.60
Grand Total						\$ 199,534,333.45

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

** Matured CD, Undergoing renewal

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I April 20, 2023

Cash - Ledger Balance (as of 04/19/2023):

Pension Payroll	M & T Bank	\$	32,834.59
Retiree Healthcare	M & T Bank	\$	1,152,404.43
Police Pension	M & T Bank	\$	184,339.97
Fire Pension	M & T Bank	\$	334,911.22
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	200,568.82
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	15,226.95
Total Cash on Hand		\$	1,921,285.98

Cash Equivalents (as of 04/19/2023) & Investments (Market Value as of April 14, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension	TD	CD	5/10/2023	5.01%	\$ 5,276.32	\$ 1,249,194.14
SUB-TOTAL:						\$ 1,249,194.14
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 54,478,193.00
Pension Trust	Fidelity Market Index					\$ 3,750,831.00
Pension Trust	Edgar Lomax					\$ 15,598,635.00
Pension Trust	Rhumblin 1000					\$ 15,388,583.00
Pension Trust	Earnest Partners					\$ 15,816,510.00
Pension Trust	Dodge & Cox					\$ 15,839,085.00
Pension Trust	Artisan Global					\$ 12,007,403.00
Pension Trust	MFS Low Global					\$ 13,639,343.00
Pension Trust	Hartford Schroder					\$ 4,298,036.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,786,215.00
Pension Trust	Harding Loevner					\$ 1,314,113.00

DaWayne Sims, City Treasurer

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DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II April 20, 2023

Investments (Market Value as of April 14, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Wellington Emerging					\$ 2,781,732.00
Pension Trust	Clarion Lion					\$ 13,862,859.00
Pension Trust	Morgan Stanley					\$ 9,961,381.00
Pension Trust	JP Morgan					\$ 13,778,955.00
Pension Trust	LM Capital Core					\$ 32,079,803.00
Pension Trust	Rhumblin Core					\$ 28,190,186.00
Pension Trust	Fidelity Bond Index					\$ 2,652,838.00
Pension Trust	Money Market					\$ 2,377,761.00
Pension Trust	Vanguard-OPEB					\$ 29,213,307.00
SUB-TOTAL						\$ 299,815,769.00
Total Investments						\$ 301,064,963.14
Total Cash on Hand						\$ 1,921,285.98
Grand Total						\$ 302,986,249.12

Total Funds under Treasury Management:

Total Investments						\$ 489,157,866.99
Total Cash on Hand						\$ 13,362,715.58
Grand Total¹						\$ 502,520,582.57

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


DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

a. Recognition Resolutions

Cabrera	Recognize Arab American Heritage Month
Cabrera	Recognize Rev. Dr. Jay Macklin
Harlee	Recognize Dr. Richard Allen Williams
McCoy	Congratulate Salesianum School – DIAA Championship Teams (Basketball, Indoor Track, Swimming & Diving, Wrestling, and Ice Hockey)

b. Sympathy Resolutions

All Council	Sympathy Stanley Munfur Ali
All Council	Sympathy Will Minster (Minster’s Jewelers)
Cabrera	Sympathy Sara E. Burton
Harlee	Sympathy Pastor Rella Reynolds
Oliver	Sympathy Delvert Snyder, Sr.
Oliver	Sympathy Vernon Jerone Hill, Sr.
White	Sympathy William Oscar Cornelious

PUBLIC COMMENTS

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

- Dwight Davis
- Abdulah Bey
- Deborah Krāāk
- Judith Calhoun
- Deacon Earl Tate
- Mouse Smith
- Kristina Kelly (virtual)

LEGISLATIVE BUSINESS

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

Council Member Darby presented and called for the third and final reading Ordinance No. 21-024 (Agenda #0057) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE TO REQUIRE BUYERS OF RESIDENTIAL
RENTAL PROPERTY TO PAY BUSINESS LICENSE
FEES AT PROPERTY SETTLEMENT

FISCAL IMPACT: The estimated fiscal impact of this Ordinance is approximately \$70,000.00, plus the cost of printing and mailing information brochures. Certain unknown variables, e.g., the number of rental properties sold annually in the city and the additional business license revenue collected at settlement, may affect the estimated fiscal impact of this Ordinance.

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

AN ORDINANCE TO AMEND CHAPTER 5 OF THE
CITY CODE TO REQUIRE BUYERS OF RESIDENTIAL
RENTAL PROPERTY TO PAY BUSINESS LICENSE
FEES AT PROPERTY SETTLEMENT

FISCAL IMPACT: The fiscal impact of this Substitute 1 to Ordinance No. 21-024 cannot accurately be determined because the number of property transfers and rate of compliance is too speculative.

Upon a motion of Council Member Darby, seconded by Council Members McCoy and Johnson, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Darby spoke on the purpose of the Ordinance. Council Members Johnson, Oliver, Cabrera and White made comments. Council Member Johnson made additional comments. Council Member McCoy made comments. Council Member Oliver made additional comments. Council Member B. Fields made comments. Council Members White and Cabrera made additional comments. President Congo requested to be added as a co-sponsor and made comments. Council Member McCoy made additional comments. Council Member Bracy offered a friendly amendment. Council Member White made a point of order for clarification to inquire on whether the amendment would require a two-thirds vote of the Council for acceptance. Parliamentarian John Hawley responded that the amendment would require a vote of the majority of members in attendance and voting in order for it to be adopted.

Upon a motion of Council Member Bracy, seconded by Council Member Johnson, the following friendly amendment was made: In Section 5-37, change the language from Business License at Property Settlement to *Business License Within One-Year of Property Settlement*. And, on section (a) License Fee Paid, instead of at Property Settlement, it would be, *within one-year of Property Settlement*.

ON THE AMENDMENT

Council Member Bracy spoke on the amendment and made comments. Council Member Darby noted she appreciates the amendment. Council Member Johnson made a point of order that Council has to debate the motion first. Council Member Darby responded that she wanted to debate the motion. Council Member White made a point of order for clarification and whether the sponsor had to accept the motion and President Congo responded, “no, they do not.” Council Member Darby stated that she would like to clear up a few things, which also could clear up the amendment. President Congo asked Council Member Bracy if she still would like to move forward with her amendment and Council Member Bracy responded that she would remove the amendment, and thanked Council Member Darby for the clarification.

Note: The above-referenced amendment was removed from the table.

Council Member Darby made closing comments.

President Congo requested the Clerk to call for the roll.

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

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

Council Member Johnson presented called for the first and second reading Ordinance No. 23-017 (Agenda #0295) entitled:

AN ORDINANCE TO AMEND CHAPTER 41 OF THE
CITY CODE TO PERMIT THE USE OF PARAPET SIGNS

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 Community Development & Urban Planning Committee. Motion prevailed.

Council Member Spadola presented and called for the third and final reading Ordinance No. 23-007 (Agenda #0273) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE
CITY CODE TO PROHIBIT CITY COUNCIL FROM
HIRING CLOSE RELATIVES OF CURRENTLY
SITTING CITY COUNCIL MEMBERS

Upon a motion of Council Member Spadola, seconded by Council Member McCoy, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Spadola spoke on the purpose of the Ordinance and made comments. Council Members Darby, Johnson, White, McCoy, B. Fields, Cabrera and Mills made comments. President Congo made comments. Council Members Johnson, Cabrera and McCoy, Darby and White made additional comments. President Congo made additional comments. Council Member Spadola made closing comments.

President Congo requested the Clerk to call for the roll.

The above-referenced Ordinance was read for third and final time and was defeated by the following Yea and Nay Roll Call Vote: Yeas, Council Members Darby, N. Field, Cabrera and Spadola, and Council President Congo. Total, five. Nays, Council Members White, Oliver, B. Fields, McCoy and Mills. Total, five. Present, Council Members Johnson and Bracy. Total, two. Absent, Council Member Harlee. Total, one.

President Congo declared the Ordinance **defeated**.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: the need for a Community Response Team; announcements of community meetings and community events throughout the city including various neighborhood clean-ups; City of Wilmington's water bill assistance program; announcement of the last budget hearings taken place on April 24th; point of order being called in Council meetings and during the public comment segment; everyone was thanked for joining tonight's meeting whether in-person or virtually, and including but not limited to, the need to respect each other as elected officials.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Member B. Fields, Council adjourned at 8:30 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk