

***Wilmington City Council
Wilmington, Delaware
June 15, 2023***

City Council met in regular session with remote participation on the above date at 6:32 p.m., President Ernest M. Congo, II presiding.

President Congo announced that Substitute No. 1 to Ordinance No. 22-035 (Rev. 1, Agenda #0216) as it relates to the City's Residency Requirement, will not be presented this evening as it is being held.

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, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera* (virtual), Mills (virtual), Spadola and Bracy, and Council President Congo. Total, thirteen.

MINUTES

After reading a portion of the minutes of June 15, 2023, upon a motion of Council Member Johnson, 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	Y		
Michelle Harlee, Vice Chair	Y		
Latisha Bracy	Y		
Nathan Field		Y	
Zanthia Oliver		Y	
James Spadola	Y		
Ernest "Trippi" Congo, Ex-Officio	Y		

President and Members of Council of
The City of Wilmington

June 5, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-015** entitled:

AMEND CHAPTER 44 OF THE CITY CODE TO PROVIDE A
PROPERTY TAX ABATEMENT FOR LOW-TO-MODERATE
INCOME, LONG-TERM HOMEOWNERS FOLLOWING A 50
PERCENT OR MORE PROPERTY TAX INCREASE ON THEIR
PRIMARY RESIDENCE

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.

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

June 5, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-023** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE
CITY'S GENERAL OBLIGATION BOND (CLEARWELL/STORAGE
IMPROVEMENTS DESIGN PHASE 1 PROJECT), SERIES OF
2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY

FOR THE CITY OF WILMINGTON’S DESIGN AND
CONSTRUCTION, IN PHASES, OF A NEW CLEARWELL;
PROVIDING FOR THE SALE OF THE 2023 BOND TO THE
DELAWARE DRINKING WATER STATE REVOLVING FUND;
AND AUTHORIZING OTHER NECESSARY ACTION

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.

**Note: At this time, Council Member Cabrera was recognized as being present and
reflected in the minutes herein (Roll Call).*

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

June 5, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor
location and remote participation**, to who was referred **Ordinance No. 23-024** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY’S
GENERAL OBLIGATION BOND (RELIABILITY IMPROVEMENTS
PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE
FUNDS NECESSARY FOR THE CITY OF WILMINGTON’S WATER
PLANT ELECTRICAL IMPROVEMENTS; PROVIDING FOR THE
SALE OF THE 2023 BOND TO THE DELAWARE DRINKING
WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER
NECESSARY ACTION

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.

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

June 5, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-025** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (PFAS REMOVAL DESIGN PHASE 1 PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S REMOVAL OF PFAS FROM THE CITY'S DRINKING WATER AND ELEVATION OF THE LOG REMOVAL CAPABILITIES AT THE PORTER FILTER PLANT; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

June 5, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-026** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WATER DISTRIBUTION & TRANSMISSION IMPROVEMENTS - LEAD REMOVAL PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S COMPLETION OF BOTH LARGE AND SMALL DIAMETER TRANSMISSION AND DISTRIBUTION PROJECTS ACROSS MULTIPLE SERVICE ZONES; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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 June 15, 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 7 to Page 9.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report June 15, 2023

Cash - Ledger Balance (as of 06/14/2023):

General	M & T Bank	\$ 8,091,600.00
Payroll	M & T Bank	\$ 1,239,622.60
Law Department Court Costs	M & T Bank	\$ 4,344.07
Total Petty Cash	M & T Bank	\$ 5,926.71
Police - Evidence Found (Currency)	M & T Bank	\$ 1,196,178.47
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 21,975.58
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		\$ 10,687,192.76

Cash Equivalents & Investments (as of 06/14/2023):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.99%	\$ 1,757.56	\$ 18,812,839.91
General	TD	High Yield Checking	13	4.36%	\$ 4,569.26	\$ 2,902,141.47
General	TD	High Yield Checking	13	4.36%	\$ 14,553.98	\$ 9,243,882.24
General	TD	High Yield Checking	13	4.36%	\$ 34,324.66	\$ 21,801,122.80
SUB-TOTAL:						\$ 52,759,986.42
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	6/20/2023	5.28%	\$ 403,457.57	\$ 45,847,450.86
General	TD	CD*	7/17/2023	5.33%	\$ 351,276.42	\$ 26,072,513.23
General	TD	CD	6/27/2023	5.28%	\$ 42,301.73	\$ 4,807,014.77
SUB-TOTAL:						\$ 76,752,850.32
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	7/17/2023	5.33%	\$ 25,215.11	\$ 1,871,521.60
Capital Project	TD	CD	7/17/2023	5.33%	\$ 21,051.25	\$ 1,562,470.53
Capital Project	TD	CD	7/17/2023	5.33%	\$ 227,915.97	\$ 16,916,427.65
Water/Sewer	TD	CD	8/14/2023	4.91%	\$ 83,018.21	\$ 3,362,914.47
State Bonds Proceeds	TD	CD	7/17/2023	5.33%	\$ 122,853.03	\$ 9,118,423.75
SUB-TOTAL:						\$ 32,831,758.00
Total Investments						\$ 179,837,915.99
Total Cash on Hand						\$ 10,687,192.76
Grand Total						\$ 190,525,108.75

¹ 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

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City of Wilmington



DaWayne Sims
City Treasurer

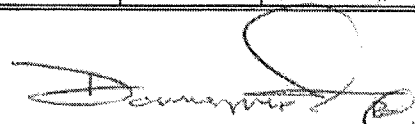
Treasurer's Report - Pensions I June 15, 2023

Cash - Ledger Balance (as of 06/14/2023):

Pension Payroll	M & T Bank	\$	49,080.71
Retiree Healthcare	M & T Bank	\$	530,890.99
Police Pension	M & T Bank	\$	181,977.30
Fire Pension	M & T Bank	\$	2,584.77
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	181,792.56
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		\$	948,919.14

Cash Equivalents (as of 06/14/2023) & Investments (Market Value as of June 9, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension	TD	CD	7/31/2023	5.44%	\$ 44,577.78	\$ 5,000,000.00
SUB-TOTAL:						\$ 5,000,000.00
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 56,756,542.00
Pension Trust	Fidelity Market Index					\$ 3,918,996.00
Pension Trust	Edgar Lomax					\$ 15,046,687.00
Pension Trust	Rhumblin 1000					\$ 16,651,448.00
Pension Trust	Earnest Partners					\$ 16,158,988.00
Pension Trust	Dodge & Cox					\$ 15,862,412.00
Pension Trust	Artisan Global					\$ 12,500,572.00
Pension Trust	MFS Low Global					\$ 13,708,719.00
Pension Trust	Hartford Schroder					\$ 4,261,300.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,746,133.00
Pension Trust	Harding Loevner					\$ 1,312,593.00


DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II June 15, 2023

Investments (Market Value as of June 9, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Wellington Emerging					\$ 2,742,553.00
Pension Trust	Clarion Lion					\$ 13,677,582.00
Pension Trust	Morgan Stanley					\$ 9,961,381.00
Pension Trust	JP Morgan					\$ 14,076,166.00
Pension Trust	LM Capital Core					\$ 31,818,279.00
Pension Trust	Rhumblin Core					\$ 27,922,389.00
Pension Trust	Fidelity Bond Index					\$ 2,629,654.00
Pension Trust	Money Market					\$ 2,488,973.00
Pension Trust	Vanguard-OPEB					\$ 29,737,438.00
SUB-TOTAL						\$ 303,978,805.00
Total Investments						\$ 308,978,805.00
Total Cash on Hand						\$ 948,919.14
Grand Total						\$ 309,927,724.14
Total Funds under Treasury Management:						
Total Investments						\$ 488,816,720.99
Total Cash on Hand						\$ 11,636,111.90
Grand Total¹						\$ 500,452,832.89

¹ 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 B. Fields and Johnson, seconded by Council Members Harlee and McCoy, the following non-legislative resolutions were accepted into the record and motion prevailed:

a. Recognition Resolutions

Cabrera	Recognize St. Paul Catholic Church (Annual Gala)
Congo	Recognize Violet Dixon (99 th Birthday)
Darby	Recognize 1in7B Foundation
Darby	Recognize Dr. Adriana Bohm
Oliver	Recognize FLOW (Falling Love Ones Wings, Inc.)

b. Sympathy Resolutions

Harlee	Sympathy Darryl Tyrone Price
Oliver	Sympathy Brenda Edita Bell
Oliver	Sympathy Maurice Johnson
Oliver	Sympathy Patricia Ann Patton

***Note: During this time, Council Member Darby was recognized as being present and reflected in the minutes herein (Roll Call).*

At this time, President Congo announced again that Substitute No. 1 to Ordinance No. 22-035 (Rev. 1 to Agenda #0216) as it relates to the City's Residency Requirement, will not be presented this evening as it is being held.

PUBLIC COMMENTS

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

- Deacon Earl Tate
- Michael Groark

LEGISLATIVE BUSINESS

On behalf of President Congo, Council Member Bracy presented Resolution No. 23-033 (Agenda #0318) as follows:

WHEREAS, City Code Section 35-37(a) states that the "Wilmington Civil Rights Commission shall be composed of seven residents of the city[.]" and

WHEREAS, City Code Section 35-37(a) further states that the mayor shall appoint five members to the Commission and the president of city council shall appoint two members; and

WHEREAS, Commissioners are subject to confirmation by resolution of city council, approved a majority of all members of the city council; and

WHEREAS, City Code Section 35-38(a) states that “vacancies on the commission shall be filled in the same manner as original appointments[.]”; and

WHEREAS, the Mayor has appointed Chantaé Vinson and Gary Fullman as Commissioners to fill two mayoral-appointed vacancies; and

WHEREAS, the President of City Council has appointed Devon Hynson as a Commissioner to fill a council president-appointed vacancy; and

WHEREAS, City Council deems it necessary and appropriate to confirm the appointment of the following members to the Wilmington Civil Rights Commission: Chantaé Vinson, Gary Fullman, and Devon Hynson.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council confirms the appointments of Chantaé Vinson, Gary Fullman, and Devon Hynson to the Civil Rights Commission.
W0121268.

Upon a motion of Council Member Bracy, seconded by Council Member Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Bracy spoke on the purpose of the Resolution. Council Member Johnson requested to be added as a co-sponsor and 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 White, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera (virtual), Mills (virtual), Spadola and Bracy, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Bracy presented Resolution No. 23-032 (Agenda 0317) as follows:

WHEREAS, public participation in the electoral process is a vital and guiding principle of democratic governance which City Council desires to promote; and

WHEREAS, City Charter Section 2-101 establishes the process for filling a vacant City Council position between general elections; and

WHEREAS, City Charter Section 2-101 states that if a vacancy occurs in the period less than thirty (30) days before the date of a primary election or pending the election of a councilmember to fill a vacancy, the City Council, by a majority vote of all its remaining members, shall appoint a person to fill the vacancy for the balance of the unexpired term; and

WHEREAS, Council has had an unprecedented three vacancies this Council session; and

WHEREAS, current laws require Council, not citizens, to appoint successors to vacant Councilmember seats; and

WHEREAS, conducting a special election to fill a Council vacancy promotes public participation in the electoral process as it empowers citizens, rather than City Council, to choose the candidate they deem best to represent their district or the city at-large; and

WHEREAS, pursuant to Title 22, Section 811 of the Delaware Code, a municipal corporation's home rule charter may be amended by an act of the Delaware General Assembly passed with the concurrence of two-thirds of all members elected to each House thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council urges the Delaware General Assembly to amend the City Charter to empower the citizens of Wilmington to fill vacant City Council seats through a special election.

BE IT FURTHER RESOLVED that this Council specifically requests the members of the Delaware General Assembly to amend Section 2-101 of the City Charter by adding the underlined language and deleting the stricken language as follows:

Sec. 2-101. -The election of ~~councilmen~~ councilmembers.; vacancies.

At the general election to be held on the Tuesday next after the first Monday in November, 1968, and on the same day in every fourth year thereafter on which general elections are held, one ~~councilman~~ councilmember shall be elected from each councilmanic district and four (4) from the city at large, together with the president of the council who shall be elected at large. Each elector shall have the right to vote for one district ~~councilman~~ councilmember, the president of the council, and (3) ~~councilmen~~ council members-at-large. To this end not more than three (3) candidates for ~~councilmen~~ councilmember-at-large shall be nominated pursuant to law by any party of other political body. When a vacancy occurs in the office of ~~councilman~~ a councilmember, the city council shall certify that a vacancy exists. ~~A vacancy occurring more than thirty (30) days prior to the date of a primary election in which city officers are nominated shall be filled in the next succeeding general election held in the city. Councilmen elected in this manner to fill a vacancy shall take office on the first Tuesday following their election. If a vacancy occurs in the period less than thirty (30) days before the date of a primary election or pending the election of a councilman to fill a vacancy as herein provided, the city council, by a majority vote of all its remaining members, shall appoint a qualified person to fill the vacancy until a person is elected by the voters for the unexpired term. Thereafter, the president of the council shall issue a writ of election to the State of Delaware Department of election to fill the vacancy for the remainder of the unexpired vacated Council seat term, which election shall be held of a date specified in the writ, but not less than thirty (30) days after its issuance. The president of council may fix as the date of the special election the date of the next primary or general election. If a vacancy arises less than 180 days from the date the term of said office naturally expires, then the seat shall remain vacant for the valance of the unexpired term and shall instead be filled through the next applicable general election cycle for a four-year term. If the vacancy occurs in the office of a district~~ councilmember, the new member shall come

from the same councilmanic district; but if the vacancy occurs in the office of a ~~councilman~~ councilmember-at-large, the new member may come from any place in the city but shall be a member of the same political party as the councilmember who vacated office. ~~Council in filling a vacancy must appoint a member of the same political party as that of the councilman whose office has become vacant.~~ In the event of a vacancy in the office of president of council, the council shall appoint by majority vote from among its members a president of the council to fill the unexpired term. The council office of the ~~councilman~~ councilmember so appointed president of the council shall in turn become vacant and shall be filled by a special election as herein provided in this Charter. ~~for council vacancies.~~ In the case of a special election to fill an unexpired term, the person elected may qualify and assume office as soon as practicable after the canvass of the election.

All citizens qualified by the Constitution and the laws of the State of Delaware to vote in the city and who satisfy the requirements for registration prescribed by law shall be qualified to vote for the members of the city council, president of the council, the mayor, and other elected city officials. Except as otherwise provided by this Charter, the provisions of the election laws of the State of Delaware shall apply to elections held under this Charter. All elections provided for by this Charter shall be conducted the election laws of the State of Delaware. The nomination of persons to be candidates in the general election for mayor, city ~~councilmen~~ councilmembers, president of the council, and other elected city officials shall be governed by the election laws of the State of Delaware.

Upon a motion of Council Member Bracy, seconded by Council Members Johnson and McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Bracy spoke on the purpose of the Resolution. Council Members Harlee and Darby made comments. Council Member McCoy requested to be added as a co-sponsor. Council Member Spadola requested to be added as a co-sponsor and made comments. Council Member Johnson made comments. President Congo made comments. Council Member Darby raised a question and made comments. Council Member Bracy made comments. Council Member Oliver made comments and raised a question, and Parliamentarian John Hawley responded.

President Congo stated the Resolution would be **held**.

Note: At this time, Council Member Mills was excused from the remainder of the meeting.

Council Member Darby presented Resolution No. 23-034 (Agenda #0319) as follows:

WHEREAS, community response teams, or civilian crisis response teams, are partnerships that pair non-uniform professionals, such as mental health specialists, with peer counselors and trained civilians to provide direct services to individuals experiencing emotional, psychiatric, or substance abuse-related crises; and

WHEREAS, the objectives of community response teams are to link individuals in mental or emotional distress with the assistance that is appropriate to their needs; divert the resource demands of responding to mental health calls from law enforcement officers to trained professionals; ensure that individuals experiencing mental or emotional health crises receive consistent, culturally-competent responses when they need them most. The isolation, reduced access to care, and other traumas experienced during the COVID-19 pandemic have further augmented the number of individuals at risk of having a severe mental or emotional crisis, however, healthcare utilization for non-COVID care remains below pre-pandemic levels; and

WHEREAS, in 2021, the National Institute of Mental Health estimated that 57.8 million adults, or one in five Americans aged 18 or over, live with some type of mental illness. Approximately 14.1 million American adults, or 5.5%, struggle with severe mental illness. 16.9% of adults in Wilmington reported having mental health concerns for more than 2 weeks in a month, and 83.9 per 100,000 people lost their lives to opioid overdoses; and

WHEREAS, research has repeatedly shown that people with mental illness are more likely to have negative interactions with law enforcement. An analysis of police use of force and serious injury data published by the *BMC Psychiatry* medical journal found that “persons with serious mental illness” experienced the use of police force at 11.6 times the rate of persons without serious mental illness. Individuals with serious mental illnesses were also 10.7 times more likely to be injured during encounters with law enforcement than those without serious mental illnesses. On April 12, 2023, the News Journal reported that a man with suicidal ideation was critically injured during a 911 emergency call response involving police; and

WHEREAS, not only do the nature and frequency of interactions with law enforcement officers foster fear and mistrust of uniformed officers, but the trauma of negative encounters with officers can also aggravate an individual’s mental health. According to the Ruderman Family Foundation, over half of the nation’s incarcerated population have a mental illness. Even at the earliest stages of life, researchers have found that the lack of appropriate accommodations for youth with non-apparent disabilities and trauma-induced mental illness has fueled the School-to-Prison and Foster-Care-to-Prison Pipelines; and

WHEREAS, in an analysis by the Washington Post, it was found that nearly a quarter of officer-involved shooting fatalities nationwide were individuals who suffered from acute mental illness at the time of their deaths. People with untreated mental illness were 16 times more likely to have fatal encounters with police than those following a treatment plan; and

WHEREAS, many Wilmington Police Department (WPD) officers have received crisis intervention training, however, it is not a standard requirement for a law enforcement officer to recognize mental health problems ad hoc. Community response teams have been found to perform better than crisis intervention teams that include uniformed law enforcement officers. An evaluation of New York’s Behavioral Health Emergency Assistance Response Division (B-HEARD) Zone 7 team, which fields call in East Harlem and parts of Central and North Harlem, found that traditional responders, or teams of New York Police Department (NYPD) officers and emergency medical service (EMS), requested assistance from the B-HEARD team twice as much as the B-HEARD

team called for backup from the NYPD and EMS. 13% more people accepted medical assistance from the B-HEARD team. 82% of people serviced by a traditional response were transported to the hospital. By contrast, the B-HEARD team transported 50% of clients to hospitals. 25% were assisted onsite, 20% were transported to a community-based care location, and everyone served by B-HEARD was offered follow-up care; and

WHEREAS, the challenges facing our City continue to outpace what we have equipped our police to handle independently. Nationwide, the difficulties maintaining authorized strength and the variety of roles that today's law enforcement officers are expected to fulfill are taking a personal toll on their mental health. According to NAMI, law enforcement officers report higher rates of depression, burnout, PTSD (post-traumatic stress disorder), and anxiety than the general population. In 2017, more police officers died by suicide than in the line of duty; and

WHEREAS, in an analysis of 911 call data from Detroit, Michigan; Hartford, Connecticut; Minneapolis, Minnesota; New Orleans, Louisiana; Portland, Oregon; Richmond, California; Seattle, Washington; and Tucson, Arizona it was estimated that between 33 and 68% of calls for service could be addressed without dispatching an armed officer. Community response teams have been proven effective at relieving the burden of non-criminal calls for service so that police officers can focus on the work that they have been trained to do; and

WHEREAS, there have been ongoing discussions with the Administration, Police Chief Campos, and Council Members regarding the necessity of developing a community response team. Wilmington has the opportunity to benefit from an analysis of police call-for-service from the Law Enforcement Action Partnership (LEAP), at no cost to the City. The call-for-service analysis will assess emergency calls to determine the volume of calls that could be managed without police intervention, what resources would be required to assemble a local community response team, and other key logistical details of establishing an effective, consistent community-based response to mental health-related incidents.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the Administration and Wilmington Police Department (WPD) to coordinate with LEAP to provide the data necessary to complete a call-for-service analysis, which is the first phase in assessing local demand for community response team services, in our City.

BE IT FURTHER RESOLVED that this Legislative body appeals to the Administration and WPD to make the resources and necessary budgetary funding available to carry out the findings and recommendations provided by LEAP to complete the subsequent phases required to establish a community response team that is equipped to meet the unique needs of Wilmingtonians.

Upon a motion of Council Member Darby, seconded by Council Member Johnson, 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 Members McCoy, Johnson and Spadola made comments. Council Member White made comments and requested to be added as a co-sponsor. Council Member Harlee made comments. Council Member Johnson made additional comments. Council Member B. Fields raised questions. President Congo made comment. Council Member

McCoy made additional comments. Council Member Harlee made additional comments and raised a question. Council Member Bracy made comments. Council Member B. Fields made additional comments and raised a question. Council Member Oliver made comments. Council Member Spadola made additional comments. Council Member Darby responded to the questions and 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, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual), Spadola and Bracy, and Council President Congo. Total, eleven. Nays, Council Member McCoy. Total, one. Absent, Council Member Mills. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Darby presented Resolution No. 23-035 (Agenda #0320) as follows:

WHEREAS, in 2021, individuals aged 65 and older were found to be the fastest-growing segment of Delaware's society. Since 2010, there has been a 55% increase in the number of seniors in our State. Collectively, Delawareans over age 65 account for nearly a quarter of the population; and

WHEREAS, nationally, seniors are among the most economically insecure. Over 15 million adults over the age of 65 are living at or below 200% of the federal poverty level. For many individuals with fixed monthly incomes, balancing life's necessities can be financially challenging; and

WHEREAS, financial strain, compounded with limitations to mobility, such as health conditions that prevent seniors from driving or their lack of reliable transportation, are significant barriers to health and social connections for older Delawareans. The recently released U.S. Surgeon General's Advisory on the Healing Effects of Social Connection and Community identified individuals over the age of 65 as having the highest risks of social isolation. The impacts of social isolation on an individual's risk of premature death are similar to those of smoking up to 15 cigarettes daily. The U.S. Surgeon General's report estimates that \$6.7 billion in Medicare spending on hospital and nursing facilities is associated with social isolation among older Americans; and

WHEREAS, public transportation can be a lifeline for seniors, especially those who are aging in place, to reach food stores, health facilities, and other essential services, as well as family and friends. Allowing elderly riders to access DART (Delaware Authority for Regional Transit) services free of charge would eliminate financial considerations as a factor in whether they can travel to get food or medicine, attend medical appointments consistently, or engage with their social support systems at the local level; and

WHEREAS, DART First State buses and paratransit currently discount regular fares by 60% for adults older than 65 and adults with disabilities who present a Medicare card or proof of disability. To supplement the demands for transportation among seniors, DART First State also implemented the Senior Citizens Affordable Taxi (SCAT) program, which provides a 50% discount on taxi fares. While these programs serve numerous seniors, even the reduced costs can be prohibitive, considering inflation and the many other food, medical, and other expenses seniors incur.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON the Wilmington City Council encourages the Delaware Department of Transportation (DelDOT) to offer free rides for Delawareans over the age of 65 on all DART (Delaware Authority for Regional Transit) buses and paratransit vehicles throughout the state of Delaware.

BE IT FURTHER RESOLVED this policy would reduce the financial burden placed on seniors relying on public transportation to move freely throughout the state and complete their daily responsibilities, as well as empower them to remain engaged in their local community despite the barriers they face.

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

President Congo declared the Resolution **adopted**.

Note: At this time, President Congo noted that Council Member McCoy was excused from the remainder of the meeting.

Council Member Darby presented Resolution No. 23-036 (Agenda #0321) as follows:

WHEREAS, House Bill No. 43 (HB No. 43), An Act to Amend § 3110, Title 15 of the Delaware Code Relating to Primary Elections, allows Delawareans without political affiliation to vote in the primary election of their choice without declaring an affiliation; and

WHEREAS, closed primary elections, that only permit voters with declared political affiliations to select candidates for a general election, prevent voters from participating in taxpayer-funded elections. Unaffiliated voters are a growing segment of the political landscape. 171,845 registered Delaware voters are not affiliated with a political party. Approximately 95,845 independent voters are located in New Castle County; and

WHEREAS, semi-open and open primaries allow nonpartisan voters to participate in primary elections without being registered as party members. The constitutionality of semi-open and open primary elections was affirmed by the Supreme Court in Washington State Grange v. Washington State Republican Party, 552 U.S. 442 in 2008. In 21 states, at least one political party conducts open primaries for congressional and state-level offices; and

WHEREAS, the political climate in both national and local governance has become increasingly polarized, leading to legislative impasses on critical policy decision-making, and voter disaffection. In January 2023, an NBC News poll reported that 71% of Americans believe that the country is “on the wrong track.” In all 50 states, closed primary elections tend to have low turnout, and 20% lower general election participation than when preceded by open primaries; and

WHEREAS, semi-open and open primaries enhance the incentives for political candidates to engage with voters across a broader spectrum of political ideologies, limit divisive campaign rhetoric, and demonstrate their capacity to work collaboratively with members of other political parties if elected. It also increases the likelihood that candidates selected to represent their political parties will more closely reflect the voter consensus.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington City Council supports House Bill No. 43 (HB No. 43), an Act to Amend § 3110, Title 15 of the Delaware Code Relating to Primary Elections, which aims to allow unaffiliated voters to vote in the primary election of their choice without being required to declare a political affiliation.

BE IT FURTHER RESOLVED that the Wilmington City Council encourages members of the Delaware General Assembly to support HB No. 43, which establishes open and semi-closed primary elections for all Delawareans because it strengthens democratic institutions through equal representation, freedom of choice, and greater participation in elections. Elected officials perform better when competition is increased, and they are incentivized to listen to their entire constituencies.

Upon a motion of Council Member Darby, seconded by Council Members White and Johnson, 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 made comments. Council Member Spadola requested to be added as a co-sponsor and made comments. Council Member Cabrera made comments. President Congo requested to be added as a co-sponsor.

The above-referenced Resolution was received, defeated as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Member Darby, Spadola and Cabrera (virtual), and Council President Congo.

Total, four. Nays, Council Members White, Oliver, Johnson, N. Field and Bracy. Total, five. Present, Council Members Harlee and B. Fields. Total, two. Absent, Council Members McCoy and Mills. Total, two.

President Congo declared the Resolution **defeated**.

Note: At this time, Council Member Darby requested to be excused from the remainder of the meeting.

On behalf of President Congo, Council Member Bracy officially noted that Substitute No. 1 to Ordinance No. 22-035 (Agenda #0216) was being **held**.

Council Member Oliver presented Resolution No. 23-037 (Agenda #0322) as follows:

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

WHEREAS, City Code Section 2-627 authorizes the Department of Public Works, subject to the approval of Council by resolution, to grant such easements as shall be necessary to facilitate the construction, maintenance, operation, and/or repair of streets, roads, sidewalks, and/or other public rights-of-way; and

WHEREAS, the City currently owns the Seventeenth Street right-of-way between Rising Sun Lane and Tower Road (the "Right-of-Way"); and

WHEREAS, the Tower Hill School Association ("Tower Hill"), located at the property adjacent to the Right-of-Way, namely 2813 West Seventeenth Street, Wilmington, Delaware (being Tax Parcel No. 26-005.30-011), would like to make certain improvements to the Right-of-Way including, but not limited to, the installation of cobblestones and bumpouts for safety purposes (collectively, the "Improvements"); and

WHEREAS, Tower Hill has requested the City grant it an easement accommodating the Improvements, as set forth in a proposed agreement between the City and Tower Hill (the "Right-of-Way Easement Agreement"), a copy of which, in substantial form, is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, City Council deems it necessary and appropriate to approve the grant of the easement to Tower Hill as set forth in the Right-of-Way Easement Agreement.

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 and made comments. Council Member N. Field 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 White, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual), Spadola and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Darby, McCoy and Mills. Total, three.

President Congo declared the Resolution **adopted**.

Council Member Harlee presented and called for the third and final reading Ordinance No. 23-015 (Agenda #0291) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE
CITY CODE TO PROVIDE A PROPERTY TAX
EXEMPTION FOR LOW-TO-MODERATE INCOME,
LONG-TERM HOMEOWNERS FOLLOWING A 50
PERCENT OR MORE PROPERTY TAX INCREASE
ON THEIR PRIMARY RESIDENCE

FISCAL IMPACT STATEMENT: Revenue changes would only take place based on the results of the next Property Assessment conducted on the housing stock in the City of Wilmington that might cause an increase in property values in neighborhoods or areas throughout the City where new development has or will take place prior to the next Property Assessment. Any potential revenue changes would then be calculated by the Department of Finance to determine any substantial changes to expect from Property Tax Revenue relevant to increases in Property Values of the City's Housing Stock and the impact of the Property Tax Abatement for Low-to-Moderate Income, Long-Term Homeowners in the City of Wilmington on such revenue when there is an increase of 50 percent or more Property Tax increase on their Primary Residence. Long-Term, Low-to-Moderate Income City Eligible Homeowners who apply would be approved for a Partial Abatement of their Tax Obligation that would pause their Tax Obligation at the Pre-Assessment amount as long as the Property Homeowners meet their eligibility requirements. 52 percent of housing in Wilmington is classified as "owner-occupied." The American Community Survey estimates that less than 10,185 residents moved into their homes prior to 2012. Approximately one-fifth of these homeowners are considered low-income.

POLICY STATEMENT: This proposed Ordinance would Amend Chapter 44 of the City Code to provide a Property Tax Abatement for Low-to-Moderate Income, Long-Term Homeowners in the City of Wilmington following a 50 percent or more property tax increase on their primary residence in areas throughout the City where new development is scheduled or has occurred that would possibly increase the value of property(s) in that area or neighborhood that could cause a 50 percent or more Property Tax Increase on their Primary Residence. Low-to-Moderate Income, Long-Term City Homeowners would be eligible for a Partial Property Tax Abatement following such an increase in their tax obligation on their Primary Residence. The City of Wilmington seeks to assist and protect Low-to-Moderate Income, Long-Term Homeowners in this City to not be at risk of having to leave their homes due to rising property taxes resulting from increased development.

Upon a motion of Council Member Harlee, seconded by Council Member Johnson, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Harlee made comments and spoke on the purpose of the Ordinance. President Congo requested to be added as a co-sponsor. Council Member Johnson requested to be added as a co-sponsor and made comments. Council B. Fields requested to be added as co-sponsor. Council Member White asked if he could raise questions. Council Member Oliver made a point of order that the legislation was already discussed in committee and that questions should have been raised in committee. However, President Congo commented on the point of order and gave the privilege of the floor to Council Member White to move forward with his questions. Council Member Oliver made comments and raised a question. Council Member Harlee responded to the questions and made closing comments.

President Congo requested the Clerk to call for the roll.

The above-referenced Ordinance was read for the third and final reading 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, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual), Spadola (virtual) and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Darby, McCoy and Mills. Total, three.

President Congo declared the Ordinance **adopted**.

Council Member Harlee presented Resolution No. 23-038 (Agenda #0323) as follows:

WHEREAS, House Bill No. 62 (HB No. 62), An Act to Amend Title 9 of the Delaware Code Relating to the Assessment of Real Property, sets a requirement that real property assessments take place at least every five years; and

WHEREAS, Tyler Technologies is undertaking reassessments of Delaware's nearly 500,000 tax parcels, a process that is projected to take several years to complete. Before this undertaking, the last property tax assessments date back to 1987 in Kent County, 1983 in New Castle County, and as far back as 1974 in Sussex County; and

WHEREAS, property taxes constitute the greatest proportion of own-source revenue for most county and municipal governments. These taxes also fund a substantial proportion of the capital necessary to maintain public schools and other vital services; and

WHEREAS, real property reassessments are conducted periodically to evaluate the present market value of taxable real estate within a county or municipality's limits. As time progresses, distortions arise between assessed and true market values due to inflation, fluctuations in market price, changes in property conditions, and other factors that impact a real asset's selling price. Failure to reassess property values in a consistent and timely fashion can result in substantial revenue losses and inequitable distributions of the property tax burden; and

WHEREAS, the current statewide property tax reassessment will furnish the information necessary to update the tax rolls, our municipalities risk incurring similar problems in the future if a tentative schedule for tax reassessment is not established and codified; and

WHEREAS, a regular, predictable reassessment process helps property owners better adapt to incremental tax assessment increases due to inflation and other factors impacting home values.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is in favor of House Bill No. 62 (HB No. 62), An Act to Amend Title 9 of the Delaware Code Relating to the Assessment of Real Property, which aims to ensure that property reassessments in our State are undertaken in a timely manner.

BE IT FURTHER RESOLVED that this Legislative body encourages the members of the Delaware General Assembly to support HB No. 62 to provide more consistency and predictability in the real property reassessment process.

Upon a motion of Council Member Harlee, seconded by Council Member Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution and made comments.

President Congo requested the Clerk to call for the roll.

The above-reference 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, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual) and Spadola (virtual), and Council President Congo. Total, eight. Nays, none. Absent, Council Members Darby, Oliver, McCoy, Mills and Bracy. Total, five.

President Congo declared the Resolution **adopted**.

Council Member Johnson presented and called for the first and second reading Ordinance No. 23-027 (Agenda #0324) entitled:

AN ORDINANCE TO AMEND CHAPTER 42 OF THE
WILMINGTON CITY CODE TO PERMIT PERSONS
RESIDING IN CERTAIN RESIDENTIAL PROPERTY
TO USE, INSTALL, AND MAINTAIN CURBSIDE
CHARGING CORDS AND ELECTRIC VEHICLE
CHARGING STATIONS IN THE PUBLIC RIGHT-
OF-WAY

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

Council Member Johnson presented and called for third and final reading Ordinance No. 23-023 (Agenda #0312) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (CLEARWELL/ STORAGE IMPROVEMENTS DESIGN PHASE 1 PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S DESIGN AND CONSTRUCTION, IN PHASES, OF A NEW CLEARWELL; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

President Congo requested the Clerk call for the roll.

The above-referenced Ordinance was read for a 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, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual), Spadola (virtual) and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Darby, McCoy and Mills. Total, three.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for third and final reading Ordinance No. 23-024 (Agenda #0313) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (RELIABILITY IMPROVEMENTS PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S WATER PLANT ELECTRICAL IMPROVEMENTS; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Members B. Fields and Harlee, the Ordinance was before the Council for its

consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance. Council Member Oliver requested to be added as co-sponsor.

President Congo requested the Clerk call for the roll.

The above-referenced Ordinance was read for a 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, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtual), Spadola (virtual) and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Darby, McCoy and Mills. Total, three.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 23-025 (Agenda #0314) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (PFAS REMOVAL DESIGN PHASE 1 PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S REMOVAL OF PFAS FROM THE CITY'S DRINKING WATER AND ELEVATION OF THE LOG REMOVAL CAPABILITIES AT THE PORTER FILTER PLANT; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Member Harlee, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance and made comments. Council Members Oliver and B. Fields requested to be added as a co-sponsor. Council Member Harlee raised a question and Council Member Johnson responded.

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

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 23-026 (Agenda #0315) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WATER DISTRIBUTION & TRANSMISSION IMPROVEMENTS – LEAD REMOVAL PROJECT), SERIES OF 2023-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY OF WILMINGTON'S COMPLETION OF BOTH LARGE AND SMALL DIAMETER TRANSMISSION AND DISTRIBUTION PROJECTS ACROSS MULTIPLE SERVICE ZONES; PROVIDING FOR THE SALE OF THE 2023 BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Member Harlee, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson made comments and spoke to the purpose of the Ordinance. Council Members B. Fields, Oliver and Harlee requested to be added as co-sponsors.

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

President Congo declared the Ordinance **adopted**.

Note: At this time, Council Member Oliver was excused from the remainder of the meeting.

Council Member Johnson presented and called for the first and second reading Ordinance No. 23-028 (Agenda #0325) entitled:

AN ORDINANCE TO REZONE SEVEN PARCELS OF LAND LOCATED ALONG LINCOLN STREET BETWEEN TENTH AND ELEVENTH STREETS FROM A ZONING CLASSIFICATION OF R-3 (ONE-FAMILY ROW HOUSES) 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 Johnson, seconded by Council Member B. Fields, the Ordinance was received, recorded and referred to the Community Development & Urban Planning Committee. Motion prevailed.

Council Member Johnson presented Resolution No. 23-039 (Agenda #0326) as follows:

WHEREAS, on June 15, 2023, 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 seven (7) parcels of land located along Lincoln Street between Tenth and Eleventh Streets (being Tax Parcel Nos. 26-020.10-037, 26-020.30-014, 26-020.30-038, 26-020.30-039, 26-020.30-040, 26-020.30-041, and 26-020.30-032) from a zoning classification of R-3 (One-Family Row Houses) 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 June 20, 2023 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 July 13, 2023 at 6:30 p.m. in the City Council Chambers to consider the Ordinance’s proposal to rezone seven (7) parcels of land located along Lincoln Street between Tenth and Eleventh Streets (being Tax Parcel Nos. 26-020.10-037, 26-020.30-014, 26-020.30-038, 26-020.30-039, 26-020.30-040, 26-020.30-041, and 26-020.30-032) from a zoning classification of R-3 (One-Family Row Houses) 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 July 13, 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 Johnson, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution.

The above-referenced Resolution was adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Harlee, B. Fields, Johnson, N. Fields, Cabrera (virtual), Spadola (virtual) and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, McCoy and Mills. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Johnson presented Resolution No. 23-040 (Agenda #0327) as follows:

WHEREAS, the City’s comprehensive development plan entitled “Wilmington 2028: A Comprehensive Plan for Our City and Communities” (the “Comprehensive Plan”) was adopted by City Council on December 12, 2019; and

WHEREAS, at its meeting on June 20, 2023, the City Planning Commission is scheduled to consider an amendment to the Comprehensive Plan’s West Side Future Land Use Map to change the future land use category of seven (7) parcels of land located along Lincoln Street between Tenth and Eleventh Streets (being Tax Parcel Nos. 26-020.10-037, 26-020.30-014, 26-020.30-038, 26-020.30-039, 26-020.30-040, 26-020.30-041, and 26-020.30-032) from “Medium Density Residential” to “Neighborhood Mixed Use” in relation to the proposed rezoning of such parcels; and

WHEREAS, the provisions of City Charter Section 5-600(a) require that a duly advertised public hearing be held by City Council prior to the adoption of modifications to the Comprehensive Plan; and

WHEREAS, City Council proposes to schedule a public hearing for review of the proposed amendment to the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby schedules a public hearing to be held on July 13, 2023 at 6:30 p.m. to consider the proposed amendment to the Comprehensive Plan’s West Side Future Land Use Map to change the future land use category of seven (7) parcels of land located along Lincoln Street between Tenth and Eleventh Streets (being Tax Parcel Nos. 26-020.10-037, 26-020.30-014, 26-020.30-038, 26-020.30-039, 26-020.30-040, 26-020.30-041, and 26-020.30-032) from “Medium Density Residential” to “Neighborhood Mixed Use” in relation to the proposed rezoning of such parcels.

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 July 13, 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 Johnson, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution. Council

Member Harlee made comments and requested to be added as a co-sponsor. Council Member B. Fields requested to be added as a co-sponsor.

President Congo requested the Clerk to call for the roll.

The above-referenced Resolution was adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Harlee, B. Fields, Johnson, N. Fields, Cabrera (virtual), Spadola (virtual) and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, McCoy and Mills. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Cabrera presented Resolution No. 23-041 (Agenda #0328) as follows:

WHEREAS, Senate Bill No. 8 (SB No. 8), An Act to Amend Title 6 of the Delaware Code Relating to Medical Debt, would protect patients from “unfair debt collection practices for medical debt” by providing reasonable standards for the handling of medical debt that prevent individuals from being overwhelmed by the burden of unforeseen medical costs; and

WHEREAS, although more than 90 percent of the United States population has some type of insurance, medical debt remains a significant concern. Medical debt affects one in five Americans or about 43 million people; and

WHEREAS, in 2019, about 71% of individuals had medical bills totaling more than \$10,000. In a 2022 report, the Peterson-Kaiser Family Foundation (KFF) Health System Tracker calculated that, nationally, patient medical debt exceeded \$195 billion. The Consumer Financial Protection Bureau (CFPB) estimates that at least \$88 billion of outstanding medical debts are in collections; and

WHEREAS, the demand for most health care services is inelastic and often unforeseen. Medical debt is the most common category of debt documented by consumer reporting companies. The frequency with which medical bills are transferred to third-party collection agencies, and subsequently listed on consumer credit reports, can have significant socioeconomic impacts on an individual or household. Medical debt collections can lower an individual’s credit score; impair one’s ability to meet other living expenses; increase the costs of owning a home, vehicle, or other assets; trigger lawsuits, wage garnishment, home liens, and bankruptcy proceedings; and lead people to avoid seeking needed medical care; and

WHEREAS, Delaware ranks 8th most expensive state for health care, with a \$12,294 per capita health cost. According to the CFPB, collectively, Delawareans had \$401 million of medical debt listed on credit reports in 2020. About 17.37% of individuals in our state were affected by medical debt with an average debt burden of \$2,426. In a Forbes Advisor survey of American adults, 28.1% of Delawareans reported forgoing needed mental health treatment due to costs; and

WHEREAS, research has identified a significant relationship between financial and physical well-being. Studies have found that individuals with serious debt

have increased risks of depression, obesity, drug and alcohol abuse, mental disorder, and suicidal ideation; and

WHEREAS, medical debt will become more burdensome for some as the expanded access to health services and public assistance provided by the COVID-19 pandemic public health emergency orders issued by the federal and State government come to an end. Throughout the pandemic, low-income Delawareans were able to maintain continuous Medicaid coverage through the Families First Coronavirus Response Act. Beginning April 1, 2023, Medicaid participants must recertify their eligibility, which puts many at risk of losing health insurance coverage.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is in favor of Senate Bill No. 8 (SB No. 8), An Act to Amend Title 6 of the Delaware Code Relating to Medical Debt, to increase the protections from the long-lasting consequences of unwarranted medical debt collection practices.

BE IT FURTHER RESOLVED that this Legislative body urges the members of the Delaware General Assembly to support SB No. 8. The adoption of reasonable standards for the handling of medical debt in our State will improve access to health care for all Delawareans.

Upon a motion of Council Member Cabrera, seconded by Council Members White and Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Cabrera spoke on the purpose of the Resolution and made comments. Council Member B. Fields requested to be added as a co-sponsor.

President Congo requested the Clerk to call for the roll.

The above-referenced Resolution was adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Harlee, B. Fields, Johnson, N. Field, Cabrera (virtua) and Bracy, and Council President Congo. Total, eight. Nays, none. Absent, Darby, Oliver, McCoy, Mills and Spadola. Total, five.

President Congo declared the Resolution **adopted**.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: announcement of community events and community meetings in the various districts; announcement of joint committee meeting of Community Development & Urban Planning and Finance & Economic Development (June 21); Happy Father's Day and Happy Juneteenth Day; and including but not limited to, everyone was thanked for joining in-person or virtually and was encouraged to call the City Council Office with any concerns and/or if any assistance is needed.

ADJOURNMENT

Upon a motion of Council Members B. Fields, seconded by Council Member Johnson, Council adjourned at 8:52 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the June 15, 2023 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/251299>

Attest: 
Maribel Seijo, City Clerk