

*Wilmington City Council  
Wilmington, Delaware  
August 24, 2023*

City Council met in regular session with remote participation on the above date at 6:31 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, Harlee (virtual), B. Fields, McCoy, Johnson, N. Field (virtual), Cabrera, Mills, Spadola and Bracy (virtual), and Council President Congo. Total, eleven. Absent with leave Council Members Darby and Oliver.

**MINUTES**

After reading a portion of the minutes of July 13, 2023, upon a motion of Council Member Cabrera, seconded by Council Members B. Fields and Johnson, it was moved they be accepted as written. Motion prevailed.

**TREASURER'S REPORT**

The following Treasurer's Report for August 24, 2023 was read into the record by the Deputy 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 2 to Page 4.*

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report August 24, 2023

**Cash - Ledger Balance (as of 08/23/2023):**

General	M & T Bank	\$ 11,044,137.85
Payroll	M & T Bank	\$ 1,196,882.41
Law Department Court Costs	M & T Bank	\$ 4,523.07
Total Petty Cash	M & T Bank	\$ 6,060.90
Police - Evidence Found (Currency)	M & T Bank	\$ 1,185,781.47
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 20,659.06
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>\$ 13,585,590.09</b>

**Cash Equivalents & Investments (as of 08/23/2023):**

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo	Daily	3.99%	\$ 3,537.87	\$ 30,000,000.00
General	TD	High Yield Checking	23	4.44%	\$ 8,291.36	\$ 2,922,923.97
General	TD	High Yield Checking	23	4.44%	\$ 12,216.03	\$ 4,306,473.18
General	TD	High Yield Checking	23	4.44%	\$ 62,285.38	\$ 21,957,242.68
<b>SUB-TOTAL:</b>						<b>\$ 59,186,639.83</b>
<b>RESTRICTED:</b>						
Police & Fire Remem.	WSPS	CD	1/23/2024	0.15%	\$ 59.18	\$ 25,871.46
General	TD	CD	9/20/2023	5.57%	\$ 658,355.99	\$ 46,250,908.43
General	TD	CD*	9/15/2023	5.70%	\$ 251,062.06	\$ 26,427,584.84
General	TD	CD	9/29/2023	5.51%	\$ 69,768.19	\$ 4,849,316.50
<b>SUB-TOTAL:</b>						<b>\$ 77,553,681.23</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	CD	10/23/2023	5.70%	\$ 198,670.61	\$ 17,925,168.18
<b>SUB-TOTAL:</b>						<b>\$ 17,925,168.18</b>
<b>RESTRICTED:</b>						
Capital Project	TD	CD	9/15/2023	5.70%	\$ 18,022.67	\$ 1,897,123.24
Capital Project	TD	CD	9/15/2023	5.70%	\$ 15,065.54	\$ 1,585,846.23
Capital Project	TD	CD	9/15/2023	5.70%	\$ 162,985.75	\$ 17,156,394.84
Water/Sewer	TD	CD	10/23/2023	5.70%	\$ 38,192.42	\$ 3,445,932.68
State Bonds Proceeds	TD	CD	9/15/2023	5.70%	\$ 87,832.56	\$ 9,245,533.04
<b>SUB-TOTAL</b>						<b>\$ 33,330,830.03</b>
<b>Total Investments</b>						<b>\$ 187,996,319.27</b>
<b>Total Cash on Hand</b>						<b>\$ 13,585,590.09</b>
<b>Grand Total</b>						<b>\$ 201,581,909.36</b>

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

*DaWayne Sims*  
DaWayne Sims, City Treasurer  
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CITY TREASURER'S OFFICE

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

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

# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions I August 24, 2023

### Cash - Ledger Balance (as of 08/23/2023):

Pension Payroll	M & T Bank	\$	46,050.70
Retiree Healthcare	M & T Bank	\$	3,218,872.48
Police Pension	M & T Bank	\$	548,502.70
Fire Pension	M & T Bank	\$	1,270.29
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	234,762.64
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>4,052,051.62</b>

### Cash Equivalents (as of 08/23/2023) & Investments (Market Value as of August 18, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Fire Pension	TD	CD	9/29/2023	5.65%	\$ 47,503.11	\$ 5,044,577.78
<b>SUB-TOTAL:</b>						<b>\$ 5,044,577.78</b>
<b>RESERVE:</b>						
Pension Trust	Rhumblin (S&P 500)					\$ 88,206,619.00
Pension Trust	Earnest Partners					\$ 15,997,563.00
Pension Trust	Dodge & Cox					\$ 12,917,737.00
Pension Trust	Artisan Global					\$ 12,187,117.00
Pension Trust	MFS Low Global					\$ 13,660,156.00
Pension Trust	Hartford Schroder					\$ 4,217,737.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,465,557.00
Pension Trust	Harding Loevner					\$ 1,301,206.00

DocuSigned by:

*DaWayne Sims*  
DaWayne Sims, City Treasurer

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions II August 24, 2023

Investments (Market Value as of Aug 18, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>RESERVE:</b>						
Pension Trust	Fidelity Emerging					\$ 2,608,475.00
Pension Trust	Clarion Lion					\$ 12,291,937.00
Pension Trust	Morgan Stanley					\$ 9,449,493.00
Pension Trust	JP Morgan					\$ 14,359,326.00
Pension Trust	LM Capital Core					\$ 31,283,125.00
Pension Trust	Rhumbline Core					\$ 27,249,163.00
Pension Trust	Fidelity Bond Index					\$ 8,907,260.00
Pension Trust	Money Market					\$ 571,551.00
Pension Trust	Vanguard-OPEB					\$ 29,711,375.00
<b>SUB-TOTAL</b>						<b>\$ 297,385,397.00</b>
<b>Total Investments</b>						<b>\$ 302,429,974.78</b>
<b>Total Cash on Hand</b>						<b>\$ 4,052,051.62</b>
<b>Grand Total</b>						<b>\$ 306,482,026.40</b>

**Total Funds under Treasury Management:**

<b>Total Investments</b>						<b>\$ 490,426,294.05</b>
<b>Total Cash on Hand</b>						<b>\$ 17,637,641.71</b>
<b>Grand Total<sup>1</sup></b>						<b>\$ 508,063,935.76</b>

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

DocuSigned by:

*DaWayne Sims*  
DaWayne Sims, City Treasurer

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**NON-LEGISLATIVE BUSINESS**

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

a. Recognition Resolutions

- Congo Recognize Stacey Henry (Delaware Resilience Hub)
- Congo Recognize Elder Alan L. Young
- Congo Recognize Hilda Octavia Bulah Morris (100<sup>th</sup> Birthday)
- B. Fields Recognize Arnold Hurtt
- McCoy Recognize Rashid Mustafa

b. Sympathy Resolutions

- All Council Sympathy New Jersey Lieutenant Governor Sheila Y. Oliver
- Cabrera Sympathy Dorothy P. Baynard
- Congo Sympathy Evelyn M. Jackson Worley
- B. Fields Sympathy George Perrin Adair
- Harlee Sympathy Leonard J. Young, Jr.
- Harlee Sympathy Maurice Husser
- Mills Sympathy Jehovah Jirah Clark
- Oliver Sympathy Valerie A. Evans
- Oliver Sympathy Lisa M. Johnson
- Oliver Sympathy Charles Hardin
- Oliver Sympathy Madeline Gwendolyn Owens

**PUBLIC COMMENTS**

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

- o Deacon Earl E. Tate, II
- o Shani Pierce

**LEGISLATIVE BUSINESS**

On behalf of Council Member Oliver, Council Member McCoy presented and called for the first and second reading Ordinance No. 23-029 (Agenda #0248, Rev. 1) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE TO CREATE A PROCEDURE WHEREBY RESIDENTS MAY PETITION THE DEPARTMENT OF PUBLIC WORKS TO CONDUCT TRAFFIC STUDIES AND INSTALL TRAFFIC CALMING DEVICES

**FISCAL IMPACT STATEMENT:** This Ordinance's fiscal impact is unknown at this time, as it depends on numerous factors, including the number of petitions filed, the petitions' subject matter, the engineering studies' findings, and external consultant costs. However, the approximate cost for one engineering study concerning the addition or removal of a stop sign can cost approximately \$25,000.00, which does not include the purchase and installation of the stop sign. Similarly, purchasing and installing a new pedestrian crosswalk or redlight can cost approximately \$150,000.00 or \$250,000.00, respectively.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member McCoy, seconded by Council Member Johnson, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

On behalf of President Congo, Council Member Harlee presented Resolution No. 23-049 (Agenda #0336) 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 and the President of City Council shall appoint two members to the Commission; 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 "members of the civil rights commission shall serve a three-year term. No member of the commission may serve more than two terms[.]" and

**WHEREAS**, pursuant to Resolution 20-048, on July 9, 2020, then-President of Council Shabazz appointed Kathleen Patterson to the Commission; and

**WHEREAS**, Ms. Patterson's term ended on July 9, 2023; and

**WHEREAS**, the Mayor wishes to reappoint Kathleen Patterson for a second three-year term; and

**WHEREAS**, there remains open a Commissioner position to be appointed by the President of City Council; and

**WHEREAS**, President Congo wishes to appoint Jea Street, Jr. to the Commission; and

**WHEREAS**, City Council deems it necessary and appropriate to confirm the reappointment of Kathleen Patterson and the appointment of Jea Street, Jr. to the Wilmington Civil Rights Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council confirms the reappointment of Kathleen Patterson and the appointment of Jea Street, Jr. to the Wilmington Civil Rights Commission.

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

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

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Harlee presented Resolution No. 23-050 (Agenda #0337) as follows:

**WHEREAS**, a *City Council Taskforce to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States* (hereinafter the "Taskforce"), was established by Resolution No. 20-080 as amended, and the composition amended by Resolution No. 22-007; and

**WHEREAS**, the members of the Taskforce are responsible to make findings and recommendations to City Council regarding issues of systemic racial disparity, racist practices and procedures and/or institutional discrimination against African Americans, resulting from the delivery or provision of City government services or the implementation or effect of City policies, and resulting from the delivery or provision of other government-provided services or widely implemented business practices or the implementation or effect of government policies or business practices; and

**WHEREAS**, Resolution No. 20-080 as amended resolved that the Taskforce findings and recommendations be submitted to the Wilmington City Council "within 180 days of its [the Taskforce's] appointment," or July 2023; and

**WHEREAS**, to comply with the conventions of the Freedom of Information Act (FOIA) regarding public bodies established by Chapter 100, Title 29 of the Delaware State Code, the Taskforce deemed it necessary to temporarily suspend its activities until such time as its members could receive further guidance on adapting their procedures to align with FOIA and properly notify the public of subsequent meetings; and

**WHEREAS**, on July 10, 2023, the Taskforce convened its first open meeting; held votes to elect the Chair and Vice Chair, respectively; and conducted an affirmative vote to request that the Wilmington City Council grant an extension of the submission date established by Resolution No. 20-080 as amended to accommodate the transition to FOIA-compliant meeting procedures.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Legislative body approves the request of the *City Council Taskforce to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in*

*the United States*, or the “Taskforce,” to modify the timeframe for presenting findings and recommendations to the City Council to begin with the date of the Taskforce’s first open meeting, held on July 10, 2023, and conclude on January 6, 2024, 180 calendar days from the date of the first open meeting.

**BE IT FURTHER RESOLVED** that it is the expectation of this Legislative body that the Taskforce develop findings and recommendations, including but not limited to, the form of compensation that should be awarded, the instrumentalities through which it should be awarded, and who should be eligible for this compensation within the revised timeframe.

Upon a motion of Council Member Harlee, seconded by Council Members McCoy and Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee 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 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, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Oliver. Total, two.

President Congo declared the Resolution **adopted**.

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

Council Member Johnson presented Resolution No. 23-051 (Agenda #0338) as follows:

**WHEREAS**, on July 6, 2023, City Council for the City of Wilmington adopted Substitute No. 1 to Ordinance 23-027, which established a Working Group to study the Electric Vehicle Ordinance and formulate recommendations to Council for any and all appropriate changes on or before January 1, 2024; and

**WHEREAS**, the Administration and City Council believe there should be 13 members on this Electric Vehicle Working Group, with the Administration appointing 7 candidates, and the President of City Council appointing 6 candidates; and

**WHEREAS**, the Administration wishes to appoint the following members:

1. Robert M. Goff, Jr - the City Solicitor;
2. Kelly Williams - the Commissioner of Public Works;
3. Michael Boykin - the Commissioner of Licenses and Inspections;
4. Jeffrey Starkey - the Commissioner of Land Use and Planning;



5. Deputy Chief of Staff Stephanie Mergler
6. Breanne Preisen (DNREC)
7. Scott Johnson

**WHEREAS**, the President of City Council wishes to appoint the following members:

1. Cora Castle
2. Anaya Harrison
3. Jed Hatfield
4. Mike Lenon
5. Pauletta Tinklepaugh
6. Joe Zilcosky

**WHEREAS**, City Council deems it necessary and appropriate to confirm the appointment of the above-mentioned members to the Electric Vehicle Working Group.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Council confirms the appointment of thirteen (13) members of the Electric Vehicle Working Group.

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

President Congo declared the Resolution **adopted**.

#### **PETITIONS AND COMMUNICATIONS**

The Deputy Clerk read the following communication into the record:

July 20, 2023

VIA EMAIL: [zlooliver@wilmingtonde.gov](mailto:zlooliver@wilmingtonde.gov)

The Honorable Zanthia Oliver  
Louis L. Redding  
City/County Building  
800 N. French Street, 9<sup>th</sup> floor  
Wilmington, DE 19801

Dear Councilwoman Oliver:

By way of this letter, you are hereby advised that Pamela J. Scott, Esq., Saul Ewing LLP submitted a rezoning application on behalf of 1188 East Seventh Street LLC, d/b/a B & M Meats, which a copy of the application was also forwarded to you. As you are aware, the application is submitted to the City Clerk, which in turn is referred to the Councilmember representing the affected district, for submission to City Council for action. In addition, please know that this rezoning request should be referred to the Planning Commission at the next Council meeting.

Should you have any questions, please feel free to contact me. Thank you for your time and attention to this matter.

Sincerely,  
/s/Maribel Seijo  
City Clerk

Cc: The Honorable Ernest “Trippi” Congo, Council President (via email)  
Mona A. Parikh, Council’s Chief of Staff (via email)  
Tanya Washington, Mayor’s Chief of Staff (via email)  
Marchelle Basnight, Senior Legislative Advisor and CFO (via email)  
Akira R. Grenardo, Legislative Admin. Asst./Deputy City Clerk (via email)

On behalf of Council Member Oliver, Council Member McCoy spoke on the purpose of the rezoning request.

Upon a motion of Council Member McCoy, seconded by Council Members Johnson and B. Fields, the communication was received, recorded and filed, and referred to the Planning Commission.

Council Members and Council President spoke on the following: community events throughout the city; congratulations expressed to Wendell Raulston and his wife on the arrival of their new baby boy; Insurance Commissioner and Delaware Motor Vehicle were thanked for coming out into the community; Happy Labor Day; with back to school starting, everyone was encouraged to take caution when school buses are out; distribution events of school supplies; the three part series that the News Journal is publishing about the

history of August Quarterly; Chief Campos and the Wilmington Police Department Cold Case Unit were thanked and congratulated in their dedication in solving case and bringing some closure to the family; Charlie Vincent was congratulated on winning The Outstanding Young Wilmingtonian Award from Wilmington Jaycees; announcement of 1<sup>st</sup> Black Restaurant Week; announcement of 5K Run/Walk in honor of the late former Council Member Rysheema Dixon (October 7<sup>th</sup>); and including but not limited to announcement of the next two back to back Council meetings being August 31<sup>st</sup> and September 7<sup>th</sup>.

### **ADJOURNMENT**

Upon a motion of Council Members B. Fields and Johnson, seconded by Council Member Cabrera, Council adjourned at 7:30 p.m. Motion prevailed.

*Note: More detailed information is reflected in the videotape of the August 24, 2023 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/270058>.*

Attest:   
Maribel Seijo, City Clerk