

***Wilmington City Council  
Wilmington, Delaware  
December 14, 2023***

City Council met in regular session with remote participation on the above date at 6:30 p.m., President Ernest M. Congo, II presiding.

The opening prayer was done by Akira Grenardo, Deputy City Clerk.

The Pledge of Allegiance was recited by City Council.

**ROLL CALL**

The following members responded to the Call of the Roll: Council Members White, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, eleven. Absent with leave, Council Members Darby and Spadola.

**MINUTES**

Council Member Cabrera made the following correction to the December 7<sup>th</sup> minutes:

*Let the record reflect that the Committee Report for Ordinance No. 23-038, which was discussed at the November 9, 2023 Community Development & Urban Planning Committee, the actual members present were Councilwoman Cabrera, Councilman Field, Councilwoman Darby, Councilwoman Fields, Councilwoman McCoy, Councilman Spadola, Councilman White and President Congo.*

After reading a portion of the minutes of December 7, 2023, ***as corrected***, 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 Deputy City Clerk read the following committee report:

<b>Finance &amp; Economic Development Committee Member</b>	<b>Present</b>	<b>Absent w Leave</b>	<b>Absent w/out Leave</b>
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

November 6, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Substitute No. 1 to Ordinance No. 23-022** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE  
TO REDUCE CIVIL PENALTIES FOR CERTAIN PARKING  
VIOLATIONS AND TO ELIMINATE THE DISCOUNT FOR  
EARLY PAYMENT OF CERTAIN PENALTIES

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 Harlee, the Report was received, recorded and filed. Motion prevailed.

The Deputy Clerk read the following committee report:

Public Works & Transportation Committee Member	Present	Absent w/ Leave	Absent w/out Leave
Zanthia Oliver, Chair	Y		
Vincent M. White, Vice Chair	Y		
Latisha Bracy	Y		
Nathan Field	Y		
Bregetta A. Fields	Y		
James Spadola	Y		
Ernest "Trippi" Congo II, Ex-Officio	Y		

President and Members of Council of  
The City of Wilmington

December 4, 2023

Ladies and Gentlemen:

We, your Joint Finance and Economic Development and Public Works & Transportation Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-041** entitled:

AN ORDINANCE TO AMEND CHAPTER 45 OF THE  
CITY CODE TO ADOPT A COMPREHENSIVE CROSS-  
CONNECTION CONTROL PROGRAM

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

Respectfully submitted, Members of  
Public Works & Transportation Committee

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

The Deputy 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

December 4, 2023

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-045** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WWTP DIGESTER GAS FLARE REPLACEMENT PROJECT), SERIES E OF 2023-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S RELOCATION AND REPLACEMENT OF THE EXISTING DIGESTER WASTE GAS FLARES AT ITS WASTEWATER TREATMENT PLANT; PROVIDING FOR THE SALE OF THE 2023E BOND TO THE DELAWARE WATER POLLUTION CONTROL 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 Harlee, the Report was received, recorded and filed. Motion prevailed.

### **TREASURER'S REPORT**

The following Treasurer's Report for December 14, 2023 was read into the record by Deputy City Clerk and upon a motion of Council Member Council Member Cabrera, seconded by Council Members McCoy and Johnson, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 7.*

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# City of Wilmington



DaWayne Sims  
City Treasurer

## Treasurer's Report December 14, 2023

### Cash - Ledger Balance (as of 12/13/2023):

General	M & T Bank	\$ 8,265,768.00
Payroll	M & T Bank	\$ 1,953,836.32
Law Department Court Costs	M & T Bank	\$ 3,932.07
Total Petty Cash	M & T Bank	\$ 5,985.17
Police - Evidence Found (Currency)	M & T Bank	\$ 1,101,948.28
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 17,133.06
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>\$ 11,476,148.23</b>

### Cash Equivalents & Investments (as of 12/13/2023):

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%	\$ 2,370.29	\$ 20,420,237.06
General	TD	High Yield Checking	6	4.59%	\$ 2,300.05	\$ 3,006,596.63
General	TD	High Yield Checking	6	4.59%	\$ 3,354.33	\$ 4,384,744.24
General	TD	High Yield Checking	6	4.59%	\$ 5,550.32	\$ 7,255,321.35
<b>SUB-TOTAL:</b>						<b>\$ 35,066,899.27</b>
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2024	0.15%	\$ 59.18	\$ 25,871.46
General	TD	CD	1/19/2023	5.43%	\$ 428,547.16	\$ 47,353,276.92
General	TD	CD	12/15/2023	5.42%	\$ 121,699.05	\$ 26,944,438.71
General	TD	CD	1/16/2024	5.43%	\$ 283,214.73	\$ 30,284,947.28
<b>SUB-TOTAL:</b>						<b>\$ 104,608,534.37</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	CD	5/20/2024	5.45%	\$ 496,117.62	\$ 18,206,151.22
<b>SUB-TOTAL:</b>						<b>\$ 18,206,151.22</b>
<b>RESTRICTED:</b>						
Capital Project	TD	CD	12/15/2023	5.42%	\$ 8,736.27	\$ 1,934,229.16
Capital Project	TD	CD	12/15/2023	5.42%	\$ 7,302.77	\$ 1,616,848.45
Capital Project	TD	CD	12/15/2023	5.42%	\$ 79,005.16	\$ 17,491,916.45
Water/Sewer	TD	CD	5/20/2024	5.45%	\$ 95,373.61	\$ 3,499,948.83
State Bonds Proceeds	TD	CD	12/15/2023	5.42%	\$ 42,575.67	\$ 9,426,347.57
<b>SUB-TOTAL</b>						<b>\$ 33,969,290.46</b>
<b>Total Investments</b>						<b>\$ 191,850,875.32</b>
<b>Total Cash on Hand</b>						<b>\$ 11,476,148.23</b>
<b>Grand Total</b>						<b>\$ 203,327,023.55</b>

<sup>1</sup> Budget Reserve

\*Restricted use, Per ARPA US Treasury Guidelines

CITY TREASURER'S OFFICE

DaWayne Sims, City Treasurer

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

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

# City of Wilmington



DaWayne Sims  
City Treasurer

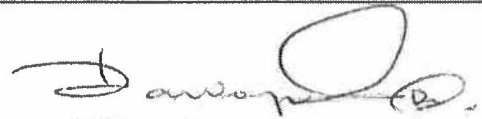
## Treasurer's Report - Pensions I December 14, 2023

### Cash - Ledger Balance (as of 12/13/2023):

Pension Payroll	M & T Bank	\$	91,768.90
Retiree Healthcare	M & T Bank	\$	2,119,975.10
Police Pension	M & T Bank	\$	82,519.55
Fire Pension	M & T Bank	\$	306,613.13
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	162,123.89
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>2,765,593.38</b>

### Cash Equivalents (as of 12/13/2023) & Investments (Market Value as of December 08, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Fire Pension II	TD	CD	12/29/2023	5.49%	\$ 37,621.16	\$ 4,111,602.39
<b>SUB-TOTAL:</b>						<b>\$ 4,111,602.39</b>
<b>RESERVE:</b>						
Pension Trust	Rhumblin (S&P 500)					\$ 93,360,215.00
Pension Trust	Earnest Partners					\$ 16,547,301.00
Pension Trust	Dodge & Cox					\$ 13,255,515.00
Pension Trust	Artisan Global					\$ 12,795,054.00
Pension Trust	MFS Low Global					\$ 14,222,103.00
Pension Trust	Hartford Schroder					\$ 4,343,702.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,916,482.00
Pension Trust	Harding Loevner					\$ 1,308,798.00

  
DaWayne Sims, City Treasurer

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions II December 14, 2023

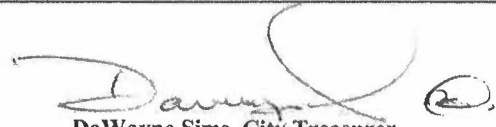
Investments (Market Value as of December 08, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>RESERVE:</b>						
Pension Trust	Fidelity Emerging					\$ 2,643,470.00
Pension Trust	Clarion Lion					\$ 11,560,970.00
Pension Trust	Morgan Stanley					\$ 9,170,647.00
Pension Trust	JP Morgan					\$ 14,730,044.00
Pension Trust	LM Capital Core					\$ 32,050,712.00
Pension Trust	Rhumbline Core					\$ 28,079,696.00
Pension Trust	Fidelity Bond Index					\$ 9,145,384.00
Pension Trust	Money Market					\$ 1,399,866.00
Pension Trust	Vanguard-OPEB					\$ 30,999,386.00
<b>SUB-TOTAL</b>						<b>\$ 308,529,345.00</b>
<b>Total Investments</b>						<b>\$ 312,640,947.39</b>
<b>Total Cash on Hand</b>						<b>\$ 2,765,593.38</b>
<b>Grand Total</b>						<b>\$ 315,406,540.77</b>

### Total Funds under Treasury Management:

<b>Total Investments</b>						<b>\$ 504,491,822.71</b>
<b>Total Cash on Hand</b>						<b>\$ 14,241,741.61</b>
<b>Grand Total<sup>1</sup></b>						<b>\$ 518,733,564.32</b>

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

  
DaWayne Sims, City Treasurer

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Council Member Oliver stated that she would be referring Agenda #0374 back to committee, however, President Congo mentioned that she would need to officially state that during legislative business.

### **NON-LEGISLATIVE BUSINESS**

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

#### **a. Recognition Resolutions**

Oliver      Recognize Page Associates

### **PUBLIC COMMENTS**

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

- Deacon Earl E. Tate, II
- Richard Armstrong
- Richard Emge
- Rikki Dolor
- Jim Shanahan
- Gerald Kauffman
- John McGill
- Kathleen Purcell
- Lorraine Bertuola
- Davon Hall
- Vere Archibald (virtual)
- Karen Igou
- Edward Hale (virtual)
- R.E Page
- Matthew Sarver (virtual)
- Arantza (virtual)
- John Phillips, Jr. (virtual)
- Dr. Robert Biscup (virtual)
- Kevin Melloy (virtual)
- John Parrish (virtual)
- Susan Kelliher (virtual)



## **LEGISLATIVE BUSINESS**

President Congo mentioned the agenda would be done out of order.

Council Member Cabrera presented and called for the first and second reading Ordinance No. 23-046 (Agenda #0375) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN  
EXTENSION OF CONTRACT 24012LI (VACANT PROPERTY  
SERVICES) BETWEEN THE CITY OF WILMINGTON AND  
R&A CONTRACTORS, LLC

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a one-year contract extension at an estimated price of One Hundred Thirty-Seven Thousand Three Hundred Dollars (\$137,300.00).

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

Council Member Cabrera presented and called for third and final reading Ordinance No. 23-022 (Agenda #0301) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE  
CITY CODE TO REDUCE CIVIL PENALTIES FOR  
CERTAIN PARKING VIOLATIONS AND TO ELIMINATE  
THE DISCOUNT FOR EARLY PAYMENT OF CERTAIN  
PENALTIES

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

AN ORDINANCE TO AMEND CHAPTER 37 OF THE  
CITY CODE TO REDUCE CIVIL PENALTIES FOR  
CERTAIN PARKING VIOLATIONS AND TO ELIMINATE  
THE DISCOUNT FOR EARLY PAYMENT OF CERTAIN  
PENALTIES

**FISCAL IMPACT STATEMENT:** The fiscal impact of this legislation will result in a reduction of \$150,000 per year.

Upon a motion of Council Member Cabrera, seconded by Council Member McCoy, the Substitute Ordinance was before the Council for its consideration.

Motion prevailed. Council Member Cabrera spoke on the purpose of the Substitute Ordinance and made comments. Council Members Johnson, McCoy and B. Fields made comments.

President Congo requested the Deputy Clerk to call for the roll.

The above-referenced Substitute Ordinance was read for the 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, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Spadola. Total, two.

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

Upon a motion of Council Member Oliver, seconded by Council Members B. Fields and White, Agenda # 0374, which is a Resolution approving the City's grant of a temporary construction easement in Tax Parcel Number 26-005.40-002 to Brandywine Shad 2020, Inc. to accommodate the removal of Dam 6 in the Brandywine River, was referred back to Public Works & Transportation Committee. Motion prevailed.

Council Member Oliver presented and called for the third and final reading Ordinance No. 23-041 (Agenda #0363) entitled:

AN ORDINANCE TO AMEND CHAPTER 45 OF THE  
CITY CODE TO ADOPT A COMPREHENSIVE  
CROSS-CONNECTION CONTROL PROGRAM

**FISCAL IMPACT STATEMENT:** There is no significant anticipated fiscal impact associated with this Ordinance.

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

President Congo requested the Deputy Clerk call for the roll.

The above-referenced Ordinance was read for 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, McCoy, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Spadola. Total, two.

President Congo declared the Ordinance **adopted.**

Council Member Harlee presented and called for the third and final reading Ordinance No. 23-042 (Agenda #0364) entitled:

AN ORDINANCE TO APPROVE THE LIBERTY STREET PROPERTIES MAJOR SUBDIVISION PLAN AND AUTHORIZE THE CITY TO REMOVE LIBERTY STREET, NANCY STREET, AND TWO UNNAMED ALLEYS FROM THE OFFICIAL CITY MAP AND ACCEPT THE DEDICATION OF NEW SEGMENTS OF LIBERTY STREET, LOWER LINCOLN STREET, AND LOWER ELM STREET AS PUBLIC RIGHTS-OF-WAY AND ADD THEM TO THE OFFICIAL CITY MAP

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

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 spoke on the purpose of the Ordinance and made comments. Council Member McCoy made comments.

President Congo requested the Deputy 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, McCoy, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Darby and Spadola. Total, two.

President Congo declared the Ordinance **adopted**.

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

Council Member Johnson presented and called for the third and final reading Ordinance No. 23-045 (Agenda #0368) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WWTP DIGESTER GAS FLARE REPLACEMENT PROJECT), SERIES E OF 2023-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE CITY'S RELOCATION AND REPLACEMENT OF THE EXISTING DIGESTER WASTE GAS FLARES AT ITS WASTEWATER TREATMENT PLANT; PROVIDING FOR

THE SALE OF THE 2023E BOND TO THE DELAWARE  
WATER POLLUTION CONTROL REVOLVING FUND; AND  
AUTHORIZING OTHER NECESSARY ACTION

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

President Congo requested the Deputy Clerk call for the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Oliver, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Darby, Harlee and Spadola. Total, three.

President Congo declared the Ordinance **adopted**.

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


**PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: community events throughout the city; Homeowner Repair Program deadline; expressions of a happy and safe holidays; Affordable Healthcare deadline; Council staff was thanked, and including but not limited to, everyone was encouraged to call the Council Office with any concerns and/or questions.

**ADJOURNMENT**

Upon a motion of Cabrera, seconded by Council Members Bracy and B. Fields, Council adjourned at 8:22 p.m. Motion prevailed.

*Note: More detailed information is reflected in the videotape of the December 14, 2023 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/291465>.*

Attest:   
Maribel Seijo, City Clerk