

**REGULAR MEETING OF WILMINGTON CITY COUNCIL
OCTOBER 17, 2024 @ 6:30 P.M. – AGENDA RESULTS**

Virtual Meeting with Anchor Location In-Person and Remote Participation

Council Chambers

Louis L. Redding City/County Building

800 N. French Street - Wilmington, DE 19801

www.wilmingtoncitycouncil.com or www.WITN22.org

I. Call to Order

Prayer

Pledge of Allegiance

Roll Call

II. Approval of Minutes

III. Committee Reports

IV. Acceptance of Treasurer's Report

V. Non-Legislative Business

a. Recognition Resolutions

All Council	Recognize Jeffrey Starkey (Retirement)
Cabrera	Recognition Yvette Santiago (National Hispanic Heritage Month)
Cabrera	Recognition Maria Matos (30 Years of Service at the Latin American Community Center)
Oliver	Recognition Dr. Debra Mason (1st Anniversary of the East Side HUB)
Oliver	Recognition H. Fletcher Brown Boys and Girls Club Honorees Gil Jackson & Richard Johnson (75th Anniversary)
Oliver	Recognize Wilmington Job Corps Center's 20 th Anniversary

b. Sympathy Resolutions

All Council	Sympathy Theodore W. Becker (Former Mayor of Lewes)
McCoy	Sympathy Edward J. Mills, Sr.

VI. Public Comment

The meeting will be open to the public starting at 6pm, so members of the public can sign up to speak. To sign up for Public Comment, members of the public must go to the following website <https://tinyurl.com/wccpubliccomment101724> to fill out the information requested. Public Comment will take place after non-legislative business. The President of City Council will recognize speakers in the order listed on the website.

VII. Legislative Business**WHITE**

#0487

An Ordinance to Amend Chapter 5 of the City Code to Require Funeral Service Providers to Provide a Probate Information Sheet to Personal Representatives of a Decedent **(1st & 2nd Reading)**

ORD. 24-054
Community
Development &
Urban Planning

Synopsis:

This Ordinance is being presented by City Council for Council's review and approval. This Ordinance adds a new article under Chapter 5 of the City Code and requires funeral service providers to provide an informational sheet or packet regarding how to probate estates to the decedent's family or other representatives with whom funeral services are arranged. Many City residents are unaware of the need to probate estates or the benefits associated therewith, which contributes to title disputes for properties within the City. This Ordinance, by providing City residents access, through funeral service providers, to probate information, would facilitate smoother transfers of estate assets and reduce potential title disputes.

OLIVER

#0467

Ord. 24-043 Amend Chapter 40 of the City Code Regarding the Annual Shoe Allowance for Safety Shoes **(3rd & Final Reading)**

PASSED

Synopsis:

This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance amends Section 40-371 of the City Code to increase the annual shoe allowance for employees who are not covered by a collective bargaining agreement and who are required to wear safety shoes by their respective department head to One Hundred Fifty Dollars (\$150.00).

#0488

A Resolution Approving the Department of Parks and Recreation's Grant Application to the State of Delaware Department of Natural Resources and Environmental Control for Funds Allocated Pursuant to the 2024 Outdoor Recreation, Parks and Trails Grant Program for Improvements to Johnston Park/Playground

RES. 24-058
ADOPTED

Synopsis:

This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation's grant application to the State of Delaware Department of Natural Resources and Environmental Control for funds allocated pursuant to the 2024 Outdoor Recreation, Parks and Trails Grant Program in the amount of \$125,000.00. The funds will be used for improvements to Johnston Park/Playground. A local match of one-third (1/3) of the grant amount is required.

#0489 An Ordinance to Amend Chapter 3 of the City Code to Increase the Fine for Dog Owners Whose Dog Bites Someone While Off-Leash (**1st & 2nd Reading**)

ORD. 24-055
Community
Development &
Urban Planning

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance increases the fines for owners of dogs who bite others while off-leash. The Ordinance also makes a few ministerial changes to correct errors in the code.*

HARLEE (Johnson presented on behalf of Harlee)

#0474 Ord. 24-050 Constituting Amendment No. 1 to the Fiscal Year 2025 Operating Budget (Being an Ordinance to Amend Substitute No. 1 to Ordinance No. 24-016) (**3rd & Final Reading**)

PASSED

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance is the first amendment to the Fiscal Year 2025 Operating Budget, which was originally enacted in Substitute No. 1 to Ordinance No. 24-016. This amendment authorizes the transfer of \$10 million from the Tax Stabilization Reserve to the Economic Strategic Fund to support the relocation of the Widener University Delaware Law School and the Delaware State University Nursing Program into the Bracebridge II office building.*

MCCOY

#0490 An Ordinance to Amend Chapter 44 of the City Code to Increase the Income Threshold for the exemption of caregiver, elderly, or disabled persons from real estate taxation Guidelines (**1st & 2nd Reading**)

ORD. 24-056
Finance &
Economic
Development

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance amended Chapter 44 of the City Code to change the income threshold from \$15,000 / \$19,000 (depending on family size) to 300% of the federal poverty level for family size, to provide a larger pool of homeowners eligible for the tax exemption.*

JOHNSON

#0491 An Ordinance to Amend Chapter 40 of the City Code Regarding Health Care Benefits (**1st & 2nd Reading**)

HELD

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance amends Section 40-352 of the City Code to require the City to offer health care benefits to legal spouses of eligible employees regardless of the (i) employment status of such spouses or (ii) ability of such spouses to receive health care benefits from other sources. In addition, as a housekeeping matter, this Ordinance replaces the term "personnel department"*

with “department of human resources.” This Ordinance shall become effective on July 1, 2025.

- #0492 An Ordinance Authorizing the Issuance of the City’s General Obligation Bond (Adams Street Green Infrastructure Project), Series C of 2024-WPCRF, in Order to Provide the Funds Necessary for the Installation of Three (3) Bioretention Gardens, 1900 Linear Feet of Stormwater Pipe, Sixteen (16) Manholes, and Five (5) Trench Drains Located in and Around the Adams Street Courts at 210 North Jackson Street; Providing for the Sale of the 2024C Bond to the Delaware Water Pollution Control Revolving Fund; and Authorizing Other Necessary Action (#0492)
(1st & 2nd Reading)

ORD. 24-057
Finance &
Economic
Development

Synopsis: *This Ordinance authorizes the issuance of a General Obligation Bond (Adams Street Green Infrastructure Project), Series C of 2024-WPCRF, in an amount not to exceed \$2,000,000 (the “2024C Bond”), which will be sold to the Delaware Water Pollution Control Revolving Fund in order to (i) finance the installation of three (3) bioretention gardens, 1900 linear feet of stormwater pipe, sixteen (16) manholes, and five (5) trench drains located in and around the Adam Street Courts at 210 North Jackson Street, as set forth in the City’s capital budgets for its Fiscal Years ending June 30, 2020 and June 30, 2022, (ii) pay administrative costs relating to such capital projects, and (iii) pay the costs of issuing the 2024C Bond.*

- #0493 A Resolution Approving the Acceptance by the Department of Public Works of an Emerging Contaminants in Small or Disadvantaged Communities Grant from the State of Delaware Department of Health and Social Services, Division of Public Health, to Support the Design and First Phase of Construction to Incorporate the Most Cost-Efficient Means of Removing PFAS from the City’s Source at the Porter and Brandywine Plants (Being a Resolution to Amend Resolution 24-046)

RES. 24-059
ADOPTED

Synopsis: *This Resolution is being presented by the Administration for Council’s review and approval. This Resolution amends Resolution 24-046 to authorize the Department of Public Works to accept an Emerging Contaminants in Small or Disadvantaged Communities Grant from the State of Delaware Department of Health and Social Services, Division of Public Health (the “DHSS”), in the amount of Two Million Four Hundred Seventy-Three Thousand One Hundred Thirty-Four Dollars (\$2,473,134.00), or such other amount as the DHSS shall determine. The proposed grant funds would be used to support completing the design and first phase of construction to incorporate the most cost-efficient means of removing PFAS from the City’s source at the Porter and Brandywine Plants. No local matching funds are required.*

- #0476 Ord. 24-051 To Establish a Temporary Moratorium on the Formal Position Classification Biennial Appeals Process (**3rd & Final Reading**)

PASSED

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance establishes a temporary moratorium on the formal position classification biennial appeals process set forth in City Code Section 40-86 in order for the Department of Human Resources to meet with all City departments to evaluate their respective organizational structures and position classifications to ensure that (i) operational needs are being met efficiently and (ii) each employee's duties and responsibilities are accurately captured in their respective position descriptions.*

- #0477 Ord. 24-052 Authorizing the Issuance of the City's General Obligation Bonds and General Obligation Bond Anticipation Note in Order to Provide the Funds Necessary to Finance Various Capital Projects Specified in the City's Fiscal Year 2022 and 2024 Capital Budgets; Providing for the Sale of the Bond and the BAN; and Authorizing Other Necessary Action (**3rd & Final Reading**)

PASSED

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance (i) authorizes the issuance of up to \$20,000,000 aggregate principal amount of General Obligation Bonds (the "Bonds") and up to \$20,000,000 aggregate principal amount of a General Obligation Bond Anticipation Note (the "BAN") in order to (a) provide temporary and permanent financing for any duly authorized capital project of the City specified in the City's capital budgets for its Fiscal Years ending June 30, 2022 and June 30, 2024 and (b) to pay the costs associated with issuance of the Bonds and the BAN, and (ii) amends certain prior bond ordinances to authorize the use of any proceeds remaining from the prior bonds that have not been expended to (x) finance any duly authorized capital project of the City specified in the City's various, prior capital budgets enacted prior to and including the Fiscal Year 2024 capital budget, (y) finance any other capital project authorized by the City in any capital budget for any fiscal year subsequent to the date hereof, and/or (z) make any debt service payments due, or which become due, on such prior bonds, or bonds that refunded such prior bonds, as appropriate, all as determined by the Bond Committee.*

CABRERA

#0494

A Resolution Scheduling a Public Hearing on November 7, 2024 on the Proposed Ordinance to Amend Chapter 48 of the City Code to Permit the Cultivation, Manufacture, Testing, and Retail of Recreational Marijuana Within Certain Commercial, Manufacturing, and Waterfront Zoning Districts

**RES. 24-061
ADOPTED***

Synopsis:

This Resolution is being presented by the Administration for Council's review and approval. This Resolution schedules a public hearing on November 7, 2024 at 6:30 p.m. in the City Council Chambers regarding Ordinance No. 24-053 proposing amendments to Chapter 48 of the City Code to permit the cultivation, manufacture, testing, and retail of recreational marijuana within certain commercial, manufacturing, and waterfront zoning districts. 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 November 7, 2024 Council meeting.

**Note: It was duly noted that Resolution 24-061 was in fact adopted based on those members present and voting and will be correctly reflected in the minutes.*

VIII. Petitions and Communications**IX. Adjournment**

Note: This meeting will be conducted both in-person and via Zoom. All are welcome to attend.

<https://us06web.zoom.us/j/82846897207> or visit the WITN22 website www.witn22.org or WITN YouTube channel at <https://www.youtube.com/user/WITN22Wilmington/> or listen in only by calling one of the following phone numbers (929) 205-6099 or (301) 715-8592. You will be asked for the **Webinar ID**. Please enter **828 4689 7207** and then #. International numbers available: <https://us06web.zoom.us/j/82846897207>