

***Wilmington City Council
Wilmington, Delaware
January 18, 2024***

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

President Congo mentioned that the Resolution approving the grant of a temporary construction easement in Tax Parcel Number 26-005.40-002 to Brandywine Shad 2020, Inc. pertaining to the removal of Dam #6, is not on the Council agenda this evening. It will be scheduled for the February 1, 2024 Council meeting, and everyone is more than welcome to speak at that meeting regarding Dam #6.

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

At this time, a moment of silence was done for former Wilmington City Council President Theodore “Ted” Blunt.

MINUTES

After reading a portion of the minutes of January 4, 2024, upon a motion of Council Member Cabrera, seconded by Council Members B. Fields and McCoy, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The City Clerk read the following committee report:

Community Development & Urban Planning Committee Members	Present	Absent w/Leave	Absent w/out Leave
Maria D. Cabrera, Chair	X		
Nathan Field, Vice Chair	X		
Shané N. Darby		X	
Bregetta A. Fields	X		
Yolanda M. McCoy		X	
James Spadola		X	
Vincent M. White	X		
Ernest “Trippi” Congo II, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

January 11, 2024

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 23-046** 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

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

Respectfully submitted, Members of
Community Development & Urban Planning Committee

Upon a motion of Council Member Cabrera, seconded by Council Members B. Fields, Johnson and 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

January 8, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-001** entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 TO THE
FISCAL YEAR 2024 OPERATING BUDGET (BEING AN
ORDINANCE TO AMEND ORDINANCE NO. 23-030)

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 January 18, 2024 was read into the
record by the City Clerk and upon a motion of Council Member Cabrera, seconded by
Council Members Johnson, B. Fields and McCoy, the Report was received, recorded and
filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 4 to Page 6.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report

January 18, 2024

Cash - Ledger Balance (as of 01/17/2024):

General	M & T Bank	\$ 8,580,510.00
Payroll	M & T Bank	\$ 2,423,467.94
Law Department Court Costs	M & T Bank	\$ 3,887.07
Total Petty Cash	M & T Bank	\$ 5,948.19
Police - Evidence Found (Currency)	M & T Bank	\$ 1,100,873.28
Police & Fire Remembrance	M & T Bank	\$ 11,744.49
Police Department Discretionary	M & T Bank	\$ 16,556.07
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		\$ 12,259,887.88

Cash Equivalents & Investments (as of 01/17/2024):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.99%	\$ 1,871.22	\$ 16,077,502.45
General	TD	High Yield Checking	13	4.59%	\$ 5,000.57	\$ 3,016,934.06
General	TD	High Yield Checking	13	4.59%	\$ 7,292.70	\$ 4,399,820.08
General	TD	High Yield Checking	13	4.59%	\$ 12,067.04	\$ 7,280,266.96
SUB-TOTAL:						\$ 30,774,523.54
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*	3/14/2024	5.37%	\$ 274,235.32	\$ 20,427,212.21
General	TD	CD**	1/16/2024	5.43%	\$ 283,214.73	\$ 30,284,947.28
SUB-TOTAL:						\$ 98,091,307.87
RESERVE:						
General ¹	TD	CD	5/20/2024	5.45%	\$ 496,117.62	\$ 18,206,151.22
SUB-TOTAL:						\$ 18,206,151.22
RESTRICTED:						
Capital Project	TD	CD**	1/15/2024	5.36%	\$ 8,967.86	\$ 1,942,965.43
Capital Project	TD	CD**	1/15/2024	5.36%	\$ 7,496.36	\$ 1,624,151.21
Capital Project	TD	CD**	1/15/2024	5.36%	\$ 81,099.56	\$ 17,570,921.61
Water/Sewer	TD	CD	5/20/2024	5.45%	\$ 95,373.61	\$ 3,499,948.83
State Bonds Proceeds	TD	CD	3/14/2024	5.37%	\$ 91,039.22	\$ 6,781,319.82
SUB-TOTAL						\$ 31,419,306.90
Total Investments						\$ 178,491,289.53
Total Cash on Hand						\$ 12,259,887.88
Grand Total						\$ 190,751,177.41

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

** Currently undergoing renewals

CITY TREASURER'S OFFICE DaWayne Sims, City Treasurer

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 January 18, 2024

Cash - Ledger Balance (as of 01/17/2024):

Pension Payroll	M & T Bank	\$	96,045.16
Retiree Healthcare	M & T Bank	\$	1,758,642.31
Police Pension	M & T Bank	\$	606,648.09
Fire Pension	M & T Bank	\$	1,394.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	323,674.72
Non-Uniform Pension Plan 2	M & T Bank	\$	12,880.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	2,800,877.09

Cash Equivalents (as of 01/17/2024) & Investments (Market Value as of January 12, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension II	TD	CD	1/29/2024	5.32%	\$ 17,348.16	\$ 3,786,889.92
SUB-TOTAL:						\$ 3,786,889.92
RESERVE:						
Pension Trust	Rhumblin (S&P 500)					\$ 97,176,085.00
Pension Trust	Earnest Partners					\$ 16,948,367.00
Pension Trust	Dodge & Cox					\$ 13,713,932.00
Pension Trust	Artisan Global					\$ 13,603,838.00
Pension Trust	MFS Low Global					\$ 14,888,113.00
Pension Trust	Hartford Schroder					\$ 4,487,149.00
Pension Trust	Fidelity Total Intl. Index					\$ 13,398,900.00
Pension Trust	Harding Loevner					\$ 1,355,770.00


DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II January 18, 2024

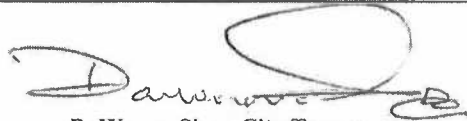
Investments (Market Value as of January 12, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Fidelity Emerging					\$ 2,707,733.00
Pension Trust	Clarion Lion					\$ 10,809,434.00
Pension Trust	Morgan Stanley					\$ 8,750,418.00
Pension Trust	JP Morgan					\$ 14,730,044.00
Pension Trust	LM Capital Core					\$ 32,800,544.00
Pension Trust	Rhumblin Core					\$ 28,777,560.00
Pension Trust	Fidelity Bond Index					\$ 9,367,760.00
Pension Trust	Money Market					\$ 1,834,970.00
Pension Trust	Vanguard-OPEB					\$ 32,063,420.00
SUB-TOTAL						\$ 317,414,037.00
Total Investments						\$ 321,200,926.92
Total Cash on Hand						\$ 2,800,877.09
Grand Total						\$ 324,001,804.01

Total Funds under Treasury Management:

Total Investments						\$ 499,692,216.45
Total Cash on Hand						\$ 15,060,764.97
Grand Total¹						\$ 514,752,981.42

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


DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

a. Recognition Resolutions

Oliver	Recognize Vikram Krishnamurthy (Delaware Center for Horticulture)
Spadola	Recognize Omega Project Physical Therapy (5 th Anniversary)
Spadola	Recognize Desmond Baker

b. Sympathy Resolutions

Harlee	Sympathy Leila Starr Bayard
Oliver	Sympathy Reggie Lacefield
Oliver	Sympathy Lady Leona Francine Hamilton
Oliver	Sympathy Derrick E. Lightfoot
Oliver	Sympathy Freddie Mae Anderson
Oliver	Sympathy Selena Anderson
Oliver	Sympathy Gloria Jean Carson
Oliver	Sympathy Beverly Ann Barnes
Oliver	Sympathy Ruby Lynn Smith
Spadola	Sympathy Bernard Francis Kenny, Jr.
White	Sympathy Robert McKinley Thomas

PUBLIC COMMENTS

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

- Deacon Earl E. Tate, II
- Timeless Thomas Daron Suann
- H. Raulston, Jr.
- Pastor Derrick Johnson
- Helen Fuhrmann
- Pastor Larry Mathis

President Congo moved to extend the public comment segment and Council moved the motion by unanimous voice vote. Motion prevailed.

- Kathleen Patterson
- Devon Marque Hall
- Tamika Brooks Collick (virtual)
- Kristina Kelly (virtual)

LEGISLATIVE BUSINESS

President Congo mentioned a change in the order of the agenda.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-001 (Agenda #0376) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 2 TO
THE FISCAL YEAR 2024 OPERATING BUDGET (BEING AN
ORDINANCE TO AMEND ORDINANCE NO. 23-030)

SYNOPSIS AND FISCAL IMPACT STATEMENT: This Ordinance is the second amendment to the Fiscal Year 2024 Operating Budget, which was originally enacted in Substitute No. 1 to Ordinance No. 23-012 and was amended and restated in its entirety in Ordinance No. 23-030. This amendment appropriates \$3.5 million to pay for ambulance services for the city for the remainder of Fiscal Year 2024. The appropriation will be funded by a transfer from the Tax Stabilization Reserve.

Upon a motion of Council Member Johnson, seconded by Council Member 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. Council Member Oliver requested to be added as a co-sponsor and made comments. Council Member McCoy made comments. Council Member Johnson made closing comments.

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

President Congo declared the Ordinance **adopted**.

Council Member Darby presented Resolution No. 24-001 (Agenda #0377) as follows:

WHEREAS, on July 27, 2022, Governor John C. Carney, Jr. signed Delaware House Bill 422 into law, which amended Wilm. C. (Charter) § 3-304(b) to grant the City the authority to determine the residency requirements for its non-elected employees; and

WHEREAS, initial discussions between the Administration and City Council regarding the parameters of the City's residency requirement broke down; and

WHEREAS, in response, the Administration unilaterally determined that House Bill 422 removed the residency requirement altogether; and

WHEREAS, on October 19, 2023, Councilmember Al Mills was set to call for the third and final reading of Revision 2 to Substitute 1 to Ordinance No. 22-035 which, if passed and signed, would remove the City's residency requirement; and

WHEREAS, there was an outpouring of opposition, resulting in almost three hours of public comment against the residency rescission; and

WHEREAS, on October 27, 2023, Council introduced Ordinance 23-040, which established a five-year residency requirement; and

WHEREAS, Council considered Revision 2 to Substitute 2 to Ordinance 23-040 for third and final reading on November 16, 2023; and

WHEREAS, there was full support for this legislation. Again, there was over three hours of public comment, this time supporting the residency requirement; and

WHEREAS, City Council passed Revision to Substitute 2 to Ordinance 23-040, and submitted it to Mayor Michael S. Purzycki, as Wilm. C. (Charter) § 2-202 requires; and

WHEREAS, the Mayor neither signed nor vetoed the bill. Instead, he allowed it to become law; and

WHEREAS, in his non-signing statement, the Mayor denigrated his constituents, calling their First Amendment expression "mob rule"; and

WHEREAS, it is inaccurate to call fervent First Amendment advocacy "mob rule"; and

WHEREAS, it is unbecoming for the Mayor to rebuke his constituents in such a manner.

WHEREAS, it is in this spirit that the City Council feels compelled to call out the Mayor's unprofessional behavior.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council expresses a vote of no confidence in Mayor Michael S. Purzycki for his comments regarding duly passed legislation.

BE IT FURTHER RESOLVED that Council urges the Administration to work with Council to find compromises when considering controversial legislation.

Upon a motion of Council Member Darby, seconded by President Congo, 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 Johnson, Oliver, McCoy, B. Fields, and Harlee made comments. President Congo made comments. Council Member Darby made closing comments.

President Congo requested the Clerk to call for the roll.

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 and Council President Congo. Total, two. Nays, Council Members White, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola, and Bracy. Total, eleven.

President Congo declared the Resolution **defeated**.

Council Member Oliver presented Resolution No. 24-002 (Agenda #0378) as follows:

WHEREAS, on February 1, 2024, an ordinance (the “Ordinance”) will be introduced before City Council proposing amendments to Chapter 48 of the City Code to revise the height, floor area ratio, and building coverage ratio requirements for the W-3 (Waterfront Low Intensity Manufacturing/Commercial Recreation) Zoning District; and

WHEREAS, the City Planning Commission considered the amendments proposed in the Ordinance at its November 21, 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 February 15, 2024 at 6:30 p.m. in the City Council Chambers to consider the Ordinance’s proposal to amend Chapter 48 of the City Code to revise the height, floor area ratio, and building coverage ratio requirements for the W-3 (Waterfront Low Intensity Manufacturing/Commercial Recreation) Zoning District.

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 February 15, 2024 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 Oliver, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver 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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 24-003 (Agenda #0379) as follows:

WHEREAS, on February 1, 2024, an ordinance (the “Ordinance”) will be introduced before City Council proposing an amendment to the “Building Zone Map of Wilmington, Delaware” to change the zoning classification of the parcel of land located at 1195 East Seventh Street (being Tax Parcel No. 26-052.00-004) from a zoning classification of W-4 (Waterfront Residential/Commercial) to a zoning classification of W-3 (Waterfront Low Intensity Manufacturing/Commercial Recreation); and

WHEREAS, the City Planning Commission considered the rezoning proposed in the Ordinance at its November 21, 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 February 15, 2024 at 6:30 p.m. in the City Council Chambers to consider the Ordinance’s proposal to rezone the parcel of land located at 1195 East Seventh Street (being Tax Parcel No. 26-052.00-004) from a zoning classification of W-4 (Waterfront Residential/Commercial) to a zoning classification of W-3 (Waterfront Low Intensity Manufacturing/Commercial Recreation).

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 February 15, 2024 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 Oliver, seconded by Council Members B. Fields and McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver 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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Harlee presented Resolution No. 24-004 (Agenda #0380) 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 its timeline modified by Resolution No. 23-050; and

WHEREAS, the members of the Taskforce are responsible for making 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, Resolution No. 23-050 modified the Taskforce's allowable timeline for meetings to correspond with the date when the members held their first open meeting on July 10, 2023, to accommodate its transition to full compliance with the conventions of the Freedom of Information Act (FOIA) regarding public bodies established by Chapter 100, Title 29 of the Delaware State Code; and

WHEREAS, the Taskforce has held public meetings to confer on this matter, to consult with experts knowledgeable about past and present racial inequities experienced by the residents of the City of Wilmington, and to provide the public with opportunities to comment on the work of the Taskforce at each meeting session; and

WHEREAS, the Taskforce has requested additional time to synthesize their findings and recommendations into a report for presentation to the Council of the City of Wilmington.

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 finalize and submit a report containing findings and recommendations no later than March 31, 2024.

BE IT FURTHER RESOLVED that any additional meetings or public forums by the Taskforce will be in furtherance of formulating recommendations for the final report.

Upon a motion of Council Member Harlee, seconded by Council Members White and Bracy, 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-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, Mills, Spadola and Bracy, and Council President Congo. Total, thirteen. Nays, none.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 24-005 (Agenda #0381) as follows:

WHEREAS, City Council enacted City Code Section 2-232 establishing procedures for the Chief of the Wilmington Police Department to call for the commencement of an academy class if the manpower of the Police Department falls below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the annual operating budget ordinance for the applicable fiscal year; and

WHEREAS, on May 18, 2023, Council approved the annual operating budget ordinance for Fiscal Year 2024 (the "Budget Ordinance"); and

WHEREAS, the Chief of the Police Department has represented that the manpower of the Police Department has fallen below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the Budget Ordinance; and

WHEREAS, pursuant to City Code Section 2-232(b), the Chief of the Police Department has drafted a resolution calling for the commencement of an academy class for the Police Department and presented it to City Council for its review.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby recognizes that the Chief of the Police Department has represented that the manpower of the Police Department has fallen below ninety-five percent (95%) of the number of police officers set forth in the position allocation list attached to the Budget Ordinance and has drafted a resolution calling for the commencement of an academy class for the Police Department.

Upon a motion of Council Member McCoy, seconded by Council Members Johnson and B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member McCoy 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, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola, and Bracy. Total, eleven. Nays, Council Member Darby and Council President Congo. Total, two.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 24-006 (Agenda #0382) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Wilmington Police Department has submitted a grant application to the State of Delaware Special Law Enforcement Assistance Fund in the amount of \$121,000; and

WHEREAS, proposed grant funding in the amount of \$56,000 would allow for the purchase of a laser measuring system used for crime scene reconstruction. This equipment would be used by the Department's Forensic Services Unit to gather precise measurements during the documentation of crime scenes thereby providing evidence to assist investigators; and

WHEREAS, proposed grant funding in the amount of \$50,000 would allow for the purchase of a Gator utility vehicle, which would be used by police officers during City sponsored events and programs, special events, and various community engagement initiatives. This equipment would increase the versatility and visibility of patrols, particularly during special events; and

WHEREAS, proposed grant funding in the amount of \$15,000 would allow for the purchase of six (6) electric bicycles to be used by the Police Department's Community Engagement Unit and Special Operations Division during routine patrols; and

WHEREAS, this grant funding would cover expenses that would otherwise have to be paid for out of the Police Department's annual operating budget, thereby continuing the Police Department's efforts to identify funding opportunities to negate increases to the City's annual operating budget; and

WHEREAS, no local matching funds are required; and

WHEREAS, City Council deems it necessary and proper to authorize the grant application for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department's grant application to the State of Delaware Special Law Enforcement Assistance Fund in the total amount of \$121,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Upon a motion of Council Member McCoy, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member McCoy spoke on the purpose of the Resolution. Council Members Darby, Cabrera, Oliver, B. Fields, and Harlee made comments. President Congo made comments. Council Member McCoy made comments. President Congo made additional 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, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola, and Bracy. Total, eleven. Nays, Council Member Darby and Council President Congo. Total, two.

President Congo declared the Resolution **adopted**.

Note: During this time, for the remainder of the meeting, Council Member Johnson was virtual.

Council Member McCoy presented Resolution No. 24-007 (Agenda #0383) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Office of Emergency Management submitted a grant application to the Delaware Emergency Management Agency for a Fiscal Year 2023 Emergency Management Performance Grant ("EMPG"), a pass-through grant from the Federal Emergency Management Agency to the Delaware Emergency Management Agency, in the amount of \$245,000.00; and

WHEREAS, the purpose of the EMPG program is to provide federal funding to assist state and local governments in preparing for all hazards by implementing the national preparedness system and the national preparedness goal of a secure and resilient nation; and

WHEREAS, the Office of Emergency Management intends to use the grant monies to support the administration and operation of the Office, including personnel salaries and benefits, supplies, equipment, services, maintenance and upkeep of the Emergency Operations Center, and expenses incurred during the activation of the Emergency Operations Center; and

WHEREAS, the City is required to provide matching funds of fifty percent (50%) of the total amount of the subaward which is \$490,000.00, thereby creating a local match requirement of \$245,000.00; and

WHEREAS, the City will fund this match requirement with amounts already budgeted for this purpose; and

WHEREAS, City Council deems it necessary and proper to authorize the grant application for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Office of Emergency Management's grant application to Delaware Emergency Management Agency in the total amount of \$245,000.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Office of Emergency Management, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

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

President Congo declared the Resolution **adopted**.

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

Council Member McCoy presented Resolution No. 24-008 (Agenda #0384) as follows:

WHEREAS, City Council enacted City Code Section 2-233 establishing procedures for the Chief of the Wilmington Fire Department to call for the commencement of an academy class if the manpower of the Fire Department falls below ninety-five percent (95%) of the number of firefighters set forth in the position allocation list attached to the annual operating budget ordinance for the applicable fiscal year; and

WHEREAS, on May 18, 2023, Council approved the annual operating budget ordinance for Fiscal Year 2024 (the "Budget Ordinance"); and

WHEREAS, the Chief of the Fire Department has represented that the manpower of the Fire Department has fallen below ninety-five percent (95%) of the number of firefighters set forth in the position allocation list attached to the Budget Ordinance; and

WHEREAS, pursuant to City Code Section 2-233(b), the Chief of the Fire Department has drafted a resolution calling for the commencement of an academy class for the Fire Department and presented it to City Council for its review.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby recognizes that the Chief of the Fire Department has represented that the manpower of the Fire Department has fallen below ninety-five percent (95%) of the number of firefighters set forth in the position allocation list attached to the Budget Ordinance and has drafted a resolution calling for the commencement of an academy class for the Fire Department.

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

President Congo declared the Resolution **adopted**.

Council Member Johnson presented and called for the first and second reading Ordinance No. 24-002 (Agenda #0385) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WATER DISTRIBUTION & TRANSMISSION IMPROVEMENTS – LEAD REMOVAL PROJECT), SERIES A OF 2024-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE REPLACEMENT OF WATERMAINS IN THE CITY'S DISTRIBUTION SYSTEM; PROVIDING FOR THE SALE OF THE 2024A BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

Council Member Johnson presented and called for the first and second reading Ordinance No. 24-003 (Agenda #0386) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (PFAS REMOVAL PROJECT) SERIES B OF 2024-DWSRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR REMOVING PFAS FROM THE CITY'S TREATMENT FACILITIES; PROVIDING FOR THE SALE OF THE 2024B BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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 Finance & Economic Development Committee. Motion prevailed.

Council Member Cabrera presented Resolution No. 24-009 (Agenda #0387) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Department of Land Use and Planning submitted a grant application to the Delaware Department of State, Division of Historical and Cultural Affairs, for a Federal Fiscal Year 2022/City Fiscal Year 2023 pass-through grant from the U.S. Department of the Interior in the amount of \$26,004.00 to support the City's Historic Preservation Planning Program, which has been in existence for over thirty-five (35) years; and

WHEREAS, as it has historically, the Department intends to use the grant funds to partially fund the Historic Preservation Planner position during the period from July 1, 2022 through September 30, 2024; and

WHEREAS, the Historic Preservation Planner (i) supports all City departments in providing essential City functions in historic neighborhoods, (ii) performs mandatory reviews for U.S. Department of Housing & Urban Development-supported City projects, (iii) responds to constituent requests for information on historic properties, federal, state, and local incentives for maintenance, and sources of information for best maintenance practices and research, (iv) develops history-based outreach projects and contributes to the efforts of other organizations, and (v) participates in history-based statewide initiatives for planning, commemoration, and public awareness; and

WHEREAS, the grant requires matching funds that equal forty percent (40%) of the minimum total project cost of \$77,144.00, which amounts to \$30,857.60; and

WHEREAS, the City will provide a total match of \$51,140.00, which is more than the minimum requirement, in order to fully fund the Historic Preservation Planner position; and

WHEREAS, the matching funds will be provided by already budgeted funds; and

WHEREAS, City Council deems it necessary and appropriate to authorize the grant application for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Land Use and Planning's grant application to the Delaware Department of State, Division of Historical and Cultural Affairs, in the amount of \$26,004.00 to support the City's Historic Preservation Planning Program is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Land Use and Planning, or his designee, is hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. Although the grant requires local matching funds of forty percent (40%) of the minimum total project cost, sufficient funds have already been budgeted to satisfy the match requirement and complete the entire funding for the Historic Preservation Planner position. The grant funds will partially defray the costs of the Historic Preservation Planner position.

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

President Congo declared the Resolution **adopted**.

Council Member Cabrera presented Resolution No. 24-010 (Agenda #0388) as follows:

WHEREAS, pursuant to Section 2-363 of the City Code, City Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary prior to Council's approval by resolution; and

WHEREAS, the Department of Land Use and Planning intends to submit a grant application to the Delaware Department of State, Division of Historical and Cultural Affairs, for a Federal Fiscal Year 2023/City Fiscal Year 2024 pass-through grant

from the U.S. Department of the Interior in the amount of \$15,707.00 to support the City's Historic Preservation Planning Program, which has been in existence for over thirty-five (35) years; and

WHEREAS, as it has historically, the Department intends to use the grant funds to partially fund the Historic Preservation Planner position during the period from July 1, 2023 through September 30, 2025; and

WHEREAS, the Historic Preservation Planner (i) supports all City departments in providing essential City functions in historic neighborhoods, (ii) performs mandatory reviews for U.S. Department of Housing & Urban Development-supported City projects, (iii) responds to constituent requests for information on historic properties, federal, state, and local incentives for maintenance, and sources of information for best maintenance practices and research, (iv) develops history-based outreach projects and contributes to the efforts of other organizations, and (v) participates in history-based statewide initiatives for planning, commemoration, and public awareness; and

WHEREAS, the grant requires matching funds that equal forty percent (40%) of the minimum total project cost of \$66,847.00, which amounts to \$26,738.80; and

WHEREAS, the City will provide a total match of \$51,141.00, which is more than the minimum requirement, in order to fully fund the Historic Preservation Planner position; and

WHEREAS, the matching funds will be provided by already budgeted funds; and

WHEREAS, City Council deems it necessary and appropriate to authorize the grant application for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Land Use and Planning's grant application to the Delaware Department of State, Division of Historical and Cultural Affairs, in the amount of \$15,707.00 to support the City's Historic Preservation Planning Program is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Land Use and Planning, or his designee, is hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. Although the grant requires local matching funds of forty percent (40%) of the minimum total project cost, sufficient funds have already been budgeted to satisfy the match requirement and complete the entire funding for the Historic Preservation Planner position. The grant funds will partially defray the costs of the Historic Preservation Planner position.

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

President Congo declared the Resolution **adopted**.

Council Member Cabrera presented and called for the third and final 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).

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

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, Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member N. Field. Total, one.

President Congo declared the Ordinance **adopted**.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: congratulations expressed to Council Member Spadola on the upcoming birth of his daughter; condolences expressed to the family of former Council President Theodore "Ted Blunt; condolences expressed to the family of Benjammin "Twin B" Brown; announcements of civic association meetings; everyone was encouraged to be safe and the need to have smoke detectors; announcements of community events; Code Purple for

the State of Delaware (call 211); condolences expressed to the family of Faye Taylor; and including but not limited to, everyone was thanked for joining tonight's Council meeting whether in-person or virtually.

ADJOURNMENT

Upon a motion of Council Members Cabrera and Bracy, seconded by Council Members B. Fields and Johnson, Council adjourned at 9:05 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the January 18, 2024 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/295224>.

Attest: Maribel Seijo
Maribel Seijo, City Clerk