

*Wilmington City Council
Wilmington, Delaware
September 19, 2024*

City Council met in regular session with remote participation on the above date at 6:33 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, Darby (virtual), Oliver*, B. Fields, Johnson (virtual**), N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, ten. Absent with leave, Council Members Harlee, McCoy and Spadola.

MINUTES

After reading a portion of the minutes of September 5, 2024, upon a motion of Council Member Cabrera, seconded by Council Member B. Fields, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The City Clerk read the following committee report:

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

President and Members of Council of
The City of Wilmington

September 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-047** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE A LICENSE
AGREEMENT BETWEEN THE CITY OF WILMINGTON AND
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.

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 Bracy, 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

September 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor
location and remote participation**, to who was referred **Ordinance No. 24-048** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE RELATING TO THE COLLECTION OF
PARKING FINES

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 B. Fields, the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report for September 19, 2024 was read into the record by City Clerk and upon a motion of Council Member Cabrera, seconded by Council Member Bracy, 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 September 19, 2024

Cash - Ledger Balance (as of 09/18/2024):

General	M & T Bank	\$ 10,110,539.03
Payroll	M & T Bank	\$ 1,341,380.78
Law Department Court Costs	M & T Bank	\$ 4,157.07
Total Petty Cash	M & T Bank	\$ 5,778.65
Police - Evidence Found (Currency)	M & T Bank	\$ 1,227,393.99
Police & Fire Remembrance	M & T Bank	\$ 11,744.49
Police Department Discretionary	M & T Bank	\$ 25,551.29
Rent Withholding Escrow	M & T Bank	\$ 14,037.87
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		\$ 12,853,346.04

Cash Equivalents & Investments (as of 09/18/2024):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.99%	\$ 5,902.78	\$ 50,000,000.00
General	TD	High Yield Checking	13	4.59%	\$ 5,153.23	\$ 3,109,035.05
General	TD	High Yield Checking	13	4.59%	\$ 7,515.33	\$ 4,534,137.83
General	TD	High Yield Checking	13	4.59%	\$ 112.30	\$ 67,754.28
SUB-TOTAL:						\$ 57,710,927.16
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2025	4.88%	\$ 1,168.38	\$ 26,124.17
General	TD	CD	10/18/2024	5.18%	\$ 362,810.33	\$ 40,668,737.83
General	TD	CD*	10/15/2024	5.18%	\$ 155,472.44	\$ 17,427,475.08
General	TD	CD	10/15/2024	5.18%	\$ 170,928.55	\$ 19,798,673.66
SUB-TOTAL:						\$ 77,921,010.74
RESERVE:						
General ¹	PNC	T-Bills	10/24/2024	5.27%	\$ 243,627.00	\$ 19,391,873.00
SUB-TOTAL:						\$ 19,391,873.00
RESTRICTED:						
Capital Project	TD	CD	10/15/2024	5.18%	\$ 13,060.53	\$ 1,464,002.82
Capital Project	TD	CD	10/15/2024	5.18%	\$ 1,139.64	\$ 127,746.63
Capital Project	TD	CD	10/15/2024	5.18%	\$ 104,231.22	\$ 11,683,659.35
Water/Sewer	PNC	T-Bills	10/24/2024	5.27%	\$ 192,608.00	\$ 15,331,392.00
State Bonds Proceeds	TD	CD	10/15/2024	5.18%	\$ 31,309.95	\$ 3,509,647.30
SUB-TOTAL						\$ 32,116,448.10
Total Investments						\$ 187,140,259.01
Total Cash on Hand						\$ 12,853,346.04
Grand Total						\$ 199,993,605.05

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

DaWayne Sims 9/19/2024

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DaWayne Sims, City Treasurer

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 September 19, 2024

Cash - Ledger Balance (as of 09/18/2024):

Pension Payroll	M & T Bank	\$	77,631.90
Retiree Healthcare	M & T Bank	\$	1,255,021.90
Police Pension	M & T Bank	\$	236,015.04
Fire Pension	M & T Bank	\$	1,001,408.78
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	380,481.08
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	2,953,151.51

Cash Equivalents (as of 09/18/2024) & Investments (Market Value as of Sep 13, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension III	TD	CD	11/20/2024	5.08%	\$ 31,418.53	\$ 2,968,679.73
SUB-TOTAL:						\$ 2,968,679.73
RESERVE:						
Pension Trust	Rhumblin (S&P 500)					\$ 106,710,049.00
Pension Trust	Earnest Partners					\$ 18,558,392.00
Pension Trust	Dodge & Cox					\$ 14,118,320.00
Pension Trust	Artisan Global					\$ 14,324,861.00
Pension Trust	MFS Low Global					\$ 15,717,635.00
Pension Trust	Fidelity Total Intl. Index					\$ 18,189,912.00
Pension Trust	Harding Loevner					\$ 2,534,849.00
Pension Trust	Fidelity Emerging					\$ 2,984,314.00

DocuSigned by:

DaWayne Sims

9/19/2024

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DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II September 19, 2024

Investments (Market Value Sep 13, 2024)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Clarion Lion					\$ 9,728,945.00
Pension Trust	Morgan Stanley					\$ 8,130,908.00
Pension Trust	JP Morgan					\$ 15,993,290.00
Pension Trust	LM Capital Core					\$ 34,585,101.00
Pension Trust	Rhumbline Core					\$ 30,271,111.00
Pension Trust	Fidelity Bond Index					\$ 9,854,577.00
Pension Trust	Money Market					\$ 1,857,687.00
Pension Trust	OPEB Trust Fund					\$ 35,971,538.00
SUB-TOTAL						\$ 339,531,489.00
Total Investments						\$ 342,500,168.73
Total Cash on Hand						\$ 2,953,151.51
Grand Total						\$ 345,453,320.24
Total Funds under Treasury Management:						
Total Investments						\$ 529,640,427.74
Total Cash on Hand						\$ 15,806,497.55
Grand Total¹						\$ 545,446,925.29

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

DocuSigned by:

DaWayne Sims

9/19/2024

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DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

a. Recognition Resolutions

Cabrera	Recognize National Hispanic Heritage Month (Erika Gutiérrez and Alicia Domínguez)
Cabrera	Recognize IndiaFest 2024 (40 th Anniversary)
B. Fields	Recognize Canaan Baptist Church (20 th Anniversary)
Harlee	Recognize Dr. Celeste F. Washington

b. Sympathy Resolutions

All Council	Sympathy Sudhir Kumar Bhatnagar
Harlee	Sympathy Juanita Shockley-Le'Mon

*Note: At this time, Council Member Oliver was recognized.

**Note: At Roll Call, Council Member Johnson was initially virtual, however, at this time, he was in attendance in-person.

PUBLIC COMMENTS

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

- Deacon Earl E. Tate, II
- Tony Dunn
- LaVaida Owens White

LEGISLATIVE BUSINESS

Council Member Oliver presented and called for the third and final reading Ordinance No. 24-047 (Agenda #0472) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE
A LICENSE AGREEMENT BETWEEN THE CITY OF
WILMINGTON AND ENVIRONMENTAL SYSTEMS
RESEARCH INSTITUTE, INC.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a license agreement for the period of three (3) years at an estimated annual price of Fifty-Eight Thousand Five Hundred Dollars (\$58,500.00) per year for a total estimated price of One Hundred Seventy-Five Thousand Five Hundred Dollars (\$175,500.00).

Upon a motion of Council Member Oliver, seconded by Council Member B. Fields, the Ordinance was before the Council for its consideration. Motion prevailed.

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

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the first and second reading Ordinance No. 24-051 (Agenda #0476) entitled:

AN ORDINANCE TO ESTABLISH A TEMPORARY
MORATORIUM ON THE FORMAL POSITION
CLASSIFICATION BIENNIAL APPEALS PROCESS

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

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Johnson, seconded by Council Member Bracy, 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. 24-052 (Agenda #0477) entitled:

AN ORDINANCE 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 BONDS AND THE BAN;
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 Members Bracy and Oliver, the Ordinance was received, recorded and referred to the Finance & Economic Development Committee. Motion prevailed.

On behalf of President Congo, Council Member Bracy presented and called for the third and final reading Ordinance No. 24-039 (Agenda #0460) entitled:

AN ORDINANCE TO APPROVE AND AUTHORIZE
AN EXTENSION OF THE FRANCHISE AGREEMENT
BETWEEN COMCAST OF NEW CASTLE COUNTY,
LLC AND THE CITY OF WILMINGTON

FISCAL IMPACT STATEMENT: This Ordinance shall bring in a minimum of \$90,000 per year in PEG channel support, totaling a minimum of \$450,000 over the life of the five-year contract. This Ordinance also requires Comcast to remit to the City the maximum five percent (5%) franchise fees allowed by the Cable Act. That number is inexact, as the number of subscribers and types of cable subscriptions will vary.

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

President Congo requested the Clerk to call 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, B. Fields, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, McCoy and Spadola. Total, three.

President Congo declared the Ordinance adopted.

Council Member Cabrera presented and called for the third and final reading Ordinance No. 24-048 (Agenda #0471) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 RELATING
TO THE COLLECTION OF PARKING FINES

FISCAL IMPACT: It is anticipated that the Department of Finance may need to hire an employee in the next fiscal year and make certain modifications to technology because of the passage of this Ordinance. The estimated cost for the new position and technology modifications is approximately \$200,000.00 (TWO HUNDRED THOUSAND DOLLARS). Additionally, the current default rate for payment agreements is approximately 70%. While providing greater flexibility in payment agreements and increasing notice of the availability of payment agreements may result in decrease in the default rate and the payment of more fines and penalties, the potential decrease in the default rate cannot be quantified with any degree of certainty. There is minimal fiscal impact anticipated from voiding outstanding civil penalties and fees when title to a

vehicle that has been impounded is transferred to the towing or storage contractor or the towing or storage contractor obtains authority to dispose of the vehicle because the City is unable to collect the majority of the debt.

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

President Congo requested the Clerk to call 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, B. Fields, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, ten. Nays, none. Absent, Council Members Harlee, McCoy and Spadola. Total, three.

Council Member Cabrera **withdrew Agenda #0478 and held Agenda #0479.**

PETITIONS AND COMMUNICATIONS

Council Member Darby requested to be excused from the meeting.

Council Members and Council President spoke on the following: congratulations was extended to those who were re-elected and also to those who have served; announcements of community events throughout the city and individuals were thanked for their participation; 2nd Annual Black Restaurant Week; and including but not limited to everyone was thanked for joining tonight's meeting and was encouraged to contact the Council Office with any questions and/or concerns.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Member Oliver, Council adjourned at 7:22 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the September 19, 2024 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/315728>

Attest: Maribel Seijo
Maribel Seijo, City Clerk