

*Wilmington City Council
Wilmington, Delaware
March 6, 2025*

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 Mariaelena Rivera, 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 Owens, Oliver, Harlee (virtual), Willauer, McCoy, Johnson (virtual), Bracy, Hackett, and Council President Congo. Total, nine. Absent with leave, Council Members Darby Cabrera, Field and Spadola. Total, four.

MINUTES

After reading a portion of the minutes of the February 20, 2025 City Council Meeting, upon a motion of Council Member McCoy, seconded by Council Member Bracy, it was moved they be accepted as written. Motion prevailed.

After reading a portion of the minutes of February 27, 2025, City Council Meeting, upon a motion of Council Member McCoy, seconded by Council Member Bracy, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

TREASURER'S REPORT

The following Treasurer's Report for March 6, 2025 was read into the record by City Clerk and upon a motion of Council Member McCoy, seconded by Council Member Oliver, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 3 to Page 5.

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City of Wilmington



DaWayne Sims
 City Treasurer
Treasurer's Report
 March 06, 2025

Cash - Ledger Balance (as of 03/05/2025):

General	M & T Bank	\$ 8,984,219.00
Payroll	M & T Bank	\$ 1,930,307.69
Law Department Court Costs	M & T Bank	\$ 4,422.07
Total Petty Cash	M & T Bank	\$ 25,811.06
Police - Evidence Found (Currency)	M & T Bank	\$ 1,215,028.95
Police & Fire Remembrance	M & T Bank	\$ 12,844.49
Police Department Discretionary	M & T Bank	\$ 17,076.46
Rent Withholding Escrow	M & T Bank	\$ 20,637.97
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		\$ 12,323,110.56

Cash Equivalents & Investments (as of 03/05/2025):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.25%	\$ 2,720.65	\$ 30,504,208.64
General	TD	High Yield Checking	6	3.56%	\$ 7,888.48	\$ 13,295,187.08
General	TD	High Yield Checking	6	3.56%	\$ 4,525.91	\$ 7,627,946.19
General	TD	High Yield Checking	6	3.56%	\$ 1,146.96	\$ 1,933,072.58
SUB-TOTAL:						\$ 53,360,414.49
RESERVE:						
Police & Fire Remem.	WSFS	CD	6/23/2025	3.92%	\$ 449.21	\$ 27,320.51
General	TD	CD	3/21/2025	4.25%	\$ 109,861.99	\$ 31,019,854.60
General	TD	CD*	3/19/2025	4.25%	\$ 34,420.36	\$ 9,718,688.50
SUB-TOTAL:						\$ 40,765,863.61
RESTRICTED:						
General ¹	PNC	T-Bills	3/11/2025	4.30%	\$ 65,600.00	\$ 19,901,600.00
SUB-TOTAL:						\$ 19,901,600.00
Capital Project	TD	CD	3/19/2025	4.25%	\$ 2,894.22	\$ 817,190.49
Capital Project	TD	CD	3/19/2025	4.25%	\$ 79.65	\$ 22,488.00
Capital Project	TD	CD	3/19/2025	4.25%	\$ 22,281.23	\$ 6,291,171.41
Water/Sewer	PNC	T-Bills	3/11/2025	4.30%	\$ 51,900.00	\$ 15,734,400.00
State Bonds Proceeds-FY23	TD	CD	3/19/2025	4.25%	\$ 6,234.52	\$ 1,760,334.92
People's Settlement	TD	High Yield Checking	6	3.56%	\$ 7,120.00	\$ 12,000,000.00
State Bonds Bill FY24	TD	High Yield Checking	6	3.56%	\$ 1,967.51	\$ 3,316,033.32
State Bonds Bill FY25	TD	High Yield Checking	6	3.26%	\$ 1,002.16	\$ 1,844,460.02
SUB-TOTAL						\$ 41,786,078.16
Total Investments						\$ 155,813,956.26
Total Cash on Hand						\$ 12,323,110.56
Grand Total						\$ 168,137,066.82

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

 DaWayne Sims, City Treasurer 3/6/2025

City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I March 06, 2025

Cash - Ledger Balance (as of 03/05/2025):

Pension Payroll	M & T Bank	\$	63,007.90
Retiree Healthcare	M & T Bank	\$	50,598.18
Police Pension	M & T Bank	\$	614,426.32
Fire Pension	M & T Bank	\$	1,090,822.40
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	196,326.17
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		\$	2,029,653.78

Cash Equivalents (as of 03/05/2025) & Investments (Market Value as of Feb 28,2025)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension III	TD	CD	3/24/2025	4.25%	\$ 3,852.91	\$ 1,019,888.86
SUB-TOTAL:						\$ 1,019,888.86
RESERVE:						
Pension Trust	Rhumblin (S&P 500)					\$ 118,662,552.00
Pension Trust	Earnest Partners					\$ 18,061,371.00
Pension Trust	Dodge & Cox					\$ 9,347,881.00
Pension Trust	WCM Global Fund					\$ 9,217,412.00
Pension Trust	MFS Low Global					\$ 9,568,316.00
Pension Trust	Fidelity Total Intl. Inde					\$ 27,822,213.00
Pension Trust	GQG Emerging					\$ 4,398,040.00

DocuSigned by:

DaWayne Sims

3/6/2025

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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 II March 06, 2025

Investments (Market Value Feb 28, 2025)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Clarion Lion					\$ 9,395,404.00
Pension Trust	Morgan Stanley					\$ 7,752,152.00
Pension Trust	JP Morgan					\$ 16,843,127.00
Pension Trust	LM Capital Core					\$ 34,463,595.00
Pension Trust	Rhumblin Core					\$ 30,015,431.00
Pension Trust	Fidelity Bond Index					\$ 9,754,861.00
Pension Trust	Money Market					\$ 6,050,362.00
Pension Trust	OPEB Trust Fund					\$ 37,028,672.00
SUB-TOTAL						\$ 348,381,389.00
Total Investments						\$ 349,401,277.86
Total Cash on Hand						\$ 2,029,653.78
Grand Total						\$ 351,430,931.64

Total Funds under Treasury Management:

Total Investments						\$ 505,215,234.12
Total Cash on Hand						\$ 14,352,764.34
Grand Total¹						\$ 519,567,998.46

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

DocuSigned by:
DaWayne Sims
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3/6/2025
DaWayne Sims, City Treasurer

NON-LEGISLATIVE BUSINESS

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

a. Recognition Resolutions

All Council	Recognize Women’s History Month
Cabrera	Recognize International WeLoveU Foundation
Harlee	Recognize Elder Essie Lee Alderman
Spadola	Recognize Lafayette Lodge No. 14 (200 th Anniversary)

b. Sympathy Resolutions

Oliver	Sympathy Thomas O. Harrison
Oliver	Sympathy Terri Ann Bruton

PUBLIC COMMENTS

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

- Tony Dunn

LEGISLATIVE BUSINESS

Upon a Motion of Council Member Johnson, seconded by Council Member Owens, Council dissolved into the Committee of the Whole for the purpose of holding a public hearing on Ord. 25-003 (Agenda #0009). Motion prevailed.

**PUBLIC HEARING
ORDINANCE NO. 25-003**

AN ORDINANCE TO REZONE A PORTION OF LAND LOCATED AT 1600 WEST EIGHTH STREET FROM A ZONING CLASSIFICATION OF R-3 (ONE-FAMILY ROW HOUSES) TO A ZONING CLASSIFICATION OF R-5-A-1 (LOW-MEDIUM DENSITY APARTMENT HOUSES)

President Congo asked for the Clerk to read the Affidavit of Publication.

The City Clerk read in part the following Affidavit of Publication:

Note: The Affidavit of Publication is attached herein as an insert on Page 6.

AFFIDAVIT OF PUBLICATION

Akira Grenardo
SD City of Wilmington City Council Office
800 N French ST
Wilmington DE 19801-3594

STATE OF DELAWARE, COUNTY OF NEW CASTLE

The Wilmington News Journal is a daily newspaper of general circulation, printed and published in the State of Delaware; that the publication, a copy of which is attached hereto, was published in the said newspaper in the issues dated:

02/18/2025

Sworn to and subscribed before on 02/18/2025

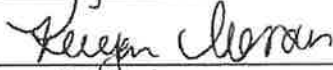
NOTICE OF PUBLIC HEARING

Notice of time and place of a public hearing on March 6, 2025 at 6:30 pm before Wilmington City Council in the City Council Chambers, 1st Floor, City/County Building, 800 North French Street, Wilmington, DE regarding Ordinance No. 25-003 entitled "An Ordinance to Rezone a Portion of the Parcel of Land Located at 1600 West Eighth Street from a Zoning Classification of R-3 (One-Family Row Houses) to a Zoning Classification of R-5-A-1 (Low-Medium Density Apartment Houses)." Members of the public will be allowed to participate in person and virtually. Instructions for virtual participation will be provided on the agenda for the March 6th Council meeting.

City Clerk
AKIRA GREVARDO
2/18-NJ



Legal Clerk



Notary, State of WI, County of Brown

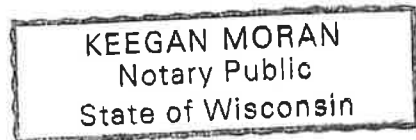
2/14/28

My commission expires

Publication Cost:	\$77.40	
Tax Amount:	\$0.00	
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Order No:	11033595	# of Copies:
Customer No:	905048	1
PO #:	ORD 25-003	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.



Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Affidavit of Publication was made apart of the record. Motion prevailed.

President Congo requested the Clerk to read the Planning Commission Report.

The City Clerk read the Planning Commission report and upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Planning Commission Report was made a part of the record. Motion prevailed. The Planning Commission’s Report constituting the recommendations to City Council are further reflected in the videotape of the March 6, 2025 City Council meeting and public hearing, which is incorporated herein by reference.

Ms. Gwinn Kaminsky (Planning Manager) presented, which is reflected in the videotape of the March 6, 2025 City Council meeting and public hearing, which is incorporated herein by reference.

President Congo opened up the floor for comments by members of Council, however, nobody requested the privilege of the floor.

At this time, President Congo opened up the floor for anyone from the public to speak for or against the proposed rezoning and nobody requested the privilege of the floor.

Upon a motion of Council Member Johnson, seconded by Council Members McCoy and Owens, Council returned to regular order of business. Motion prevailed.

RETURN TO REGULAR ORDER OF BUSINESS

President Congo requested the Clerk to read the committee report.

The City Clerk read the following committee report:

Community Development & Urban Planning Committee Member	Present	Absent w Leave	Absent w/out Leave
Maria D. Cabrera, Chair		X	
Shané N. Darby, Vice Chair	X		
Nathan Field	X		
Alexander D. Hackett	X		
Yolanda McCoy		X	
Coby J. Owens	X		
Christian Willauer	X		
Ernest “Trippi” Congo, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

February 13, 2025

Ladies and Gentlemen:

We, your Community Development & Urban Planning Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 25-003** entitled:

AN ORDINANCE TO REZONE A PORTION OF THE PARCEL OF LAND LOCATED AT 1600 WEST EIGHTH STREET FROM A ZONING CLASSIFICATION OF R-3 (ONE-FAMILY ROW HOUSES) TO A ZONING CLASSIFICATION OF R-5-A-1 (LOW-MEDIUM DENSITY APARTMENT HOUSES)

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 Johnson, seconded by Council Member McCoy the Report was received, recorded and filed. Motion prevailed.

President Congo asked the Clerk if there were any findings and the Clerk responded.

The City Clerk read in part the following Findings:

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MEMORANDUM

TO: The Honorable Ernest “Trippi” Congo II, President of City Council
The Honorable Members of City Council

FROM: Elizabeth D. Power, Senior Assistant City Solicitor

CC: Elijah A. Simmons, City Council Chief of Staff
Marchelle Basnight, City Council Senior Legislative Advisor & Chief Financial Officer
Akira R. Grenardo, City Clerk
Cerron Cade, Mayor’s Office Chief of Staff
Daniel T. Walker, Mayor’s Office Deputy Chief of Staff
Stephanie Mergler, Mayor’s Office Deputy Chief of Staff
Javier Horstmann, Mayor’s Office Director of Special Projects
Elliott T. Larkin, Director, Department of Land Use and Planning
Gwineth Kaminsky, Planning Manager
Robert M. Goff, Jr., City Solicitor

DATE: March 5, 2025

RE: **City Council Findings Supporting the Enactment of Ordinance No. 25-003 to Rezone a Portion of the Parcel of Land Located at 1600 West Eighth Street from a Zoning Classification of R-3 (One-Family Row Houses) to a Zoning Classification of R-5-A-1 (Low-Medium Density Apartment Houses)**

Enclosed please find a copy of the findings (the “Findings”) prepared in connection with City Council’s scheduled public hearing on March 6, 2025 regarding the above-referenced zoning ordinance (the “Ordinance”). The Findings supplement the record of the City Planning Commission (the “Planning Commission”) and its report, as well as the record of the Council’s public hearing, and the Law Department advises their inclusion in the record as a means of complying with Delaware Court decisions that involve zoning ordinances of County governments, but the principles of which apply to Wilmington as well.

In this instance, the Findings support the provisions of the Ordinance. The Findings and the Ordinance reflect the recommendations approved by the Planning Commission at its regular meeting following its public hearing on January 21, 2025. At that meeting, the Planning Commission approved its Resolution 1-25, which recommended the rezoning proposed in the Ordinance. The enclosed Findings support those recommendations.

Should you have any questions regarding this matter, please do not hesitate to contact me.

**FINDINGS SUPPORTING THE
ENACTMENT OF ORDINANCE NO. 25-003**

City Council makes the following findings (the “Findings”) regarding the rezoning of the portion of the parcel of land that is the subject of Ordinance No. 25-003 (the “Ordinance”).

Proposed Rezoning Action:

An Ordinance to Rezone a Portion of the Parcel of Land Located at 1600 West Eighth Street from a Zoning Classification of R-3 (One-Family Row Houses) to a Zoning Classification of R-5-A-1 (Low-Medium Density Apartment Houses)

1. The proposed rezoning action is consistent with the recommendations of the Citywide comprehensive plan entitled “Wilmington 2028: A Comprehensive Plan for Our City and Communities.”
2. The proposed rezoning action will create a buffer between the denser C-2 (Secondary Business Centers) zoning district and the broader R-3 (One-Family Row Houses) zoned neighborhood that surrounds the affected block to the north, south, and west, thereby correcting the issue of having the denser C-2 zoning adjacent to the less dense R-3 zoning. The density of uses for the affected block will be controlled by the limitations of a 2.0 floor area ratio and a building height of five (5) stories as a matter of right that the proposed rezoning action will entail.
3. All property uses that are currently matter-of-right uses will remain matter-of-right uses under the proposed rezoning action.
4. The proposed rezoning action will not create any nonconforming or special exception uses.
5. The land uses permitted under the proposed rezoning action are consistent with the adjacent land uses, including, but not limited to, a R-5-A-1 (Low-Medium Density Apartment Houses) district that currently exists diagonally opposite from the affected block, although the proposed rezoning action is not considered an expansion of that district.
6. The proposed rezoning action will be consistent with and complementary to the zoning classifications of nearby zoning districts and the property uses therein.
7. The proposed rezoning action will allow for the development of affordable senior apartment housing on the affected block, which would be beneficial for the neighborhood.
8. The proposed rezoning action will not excessively increase traffic congestion or adversely affect public safety.
9. The proposed rezoning action will have no negative effect on population density patterns and will not overburden public utilities and facilities.

10. The proposed rezoning action will not seriously reduce light and air to adjacent areas due to the limitations of a 2.0 floor area ratio and a building height of five (5) stories as a matter of right, but will be consistent with and complementary to the zoning classifications of nearby zoning districts and the property uses therein.
11. The proposed rezoning action will not adversely affect property values in the adjacent areas, nor will it be a deterrent to the improvement or redevelopment of adjacent properties, but rather should have a positive effect.
12. The proposed rezoning action will best serve the public welfare and will not constitute a grant of any special privilege to any individual owner of property.
13. The proposed rezoning action will not be out of scale but rather will be consistent with the needs and current and future uses of the subject area and the City of Wilmington.
14. The proposed rezoning action will not create any isolated districts, but rather will better relate the subject properties to each of the surrounding areas and to future best uses of the properties.
15. The proposed rezoning action adheres to the standards set forth in the applicable provisions of Chapter 48 of the City Code, Title 22 of the Delaware Code, and applicable Delaware case law.

CONCLUSION

This concludes the set of City Council's Findings for the rezoning of the portion of the parcel of land that is the subject of the Ordinance, as illustrated on the map attached to the Ordinance. The Ordinance incorporates the recommendations of the City Planning Commission regarding the proposed rezoning action, which were approved at the Planning Commission meeting on January 21, 2025 and contained in its Resolution 1-25.

W0128015

Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Findings were made a part of the record. Motion prevailed.

Council Member Johnson presented Ordinance No. 25-003 (Agenda #0009) and called for the third and final reading as follows:

AN ORDINANCE TO REZONE A PORTION OF THE PARCEL OF LAND LOCATED AT 1600 WEST EIGHTH STREET FROM A ZONING CLASSIFICATION OF R-3 (ONE-FAMILY ROW HOUSES) TO A ZONING CLASSIFICATION OF R-5-A-1 (LOW-MEDIUM DENSITY APARTMENT HOUSES)

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

Council Member Johnson spoke to the ordinance. Council Members McCoy, Hackett, Bracy, Harlee, Willauer, Oliver, Owens and President Congo made comments regarding the ordinance, and all asked to be added as Co-Sponsors on the Ordinance.

President Congo reminded members of Council that when voting, they will need to state the reason for their vote.

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 Owens – Yes, based on community support; Oliver – Yes, based on the findings and community support; Willauer – Yes, based on the findings and community support; McCoy- Yes, based on the findings; Johnson – Yes, based on the findings and support from the community; Bracy – Yes, based on the findings; Hackett – Yes, based on the findings; and President Congo – Yes, based on the findings. Total, eight. Absent, Council Members Darby, Harlee, Field, Cabrera and Spadola. Total, five.

President Congo declared the Ordinance **adopted**.

Council Member Oliver presented Resolution 25-007 (Agenda #0016) as follows:

WHEREAS, in alignment with the Wilmington City Council 2022-2025 Strategic Plan goal of a “Transparent and Well-Represented Wilmington,” it is the venerable duty of this Council to contribute to the preservation and promulgation of the rich history of the City of Wilmington, including that of its Legislative body; and

WHEREAS, the Wilmington City Council Commemorative Wall was commissioned under the tenure of Council President Theodore Blunt in 2008. His

unwavering support was integral to the conceptualization of the design and final installation of the structure in early 2009. On November 15, 2018, during the 106th session of the Wilmington City Council, the Commemorative Wall was officially dedicated as an attestation to the men and women who have shaped this great City's growth, progress, and resilience throughout history. The Wall memorializes the individuals whose collective deliberations have catalyzed the legislative trajectory of this municipality for the posterity; and

WHEREAS, the realization of the Commemorative Wall is but one example of the Honorable Theodore Blunt's transformational leadership during his 24 years of service as a Council Member, and later Council President. A lifelong educator, his steadfast commitment to education has had continued reverberations for all Wilmingtonians. His institution of citywide college scholarships has facilitated the resources to support the educational aspirations of hundreds of local students. Mr. Blunt's allegiance to the principles of community empowerment was the impetus for discretionary community funds to be allocated to each Council Member, placing the onus on all members of the Legislative body to extend their engagement in the well-being of constituents beyond these hallowed halls. The Safe Haven and Extended Hours initiatives at local community centers were adopted as a State model because of their significant impacts on City youths. The after-school programming he spearheaded improved access to positive youth development for countless families; and

WHEREAS in his time on Council, Blunt modeled fiduciary stewardship through his dedicated service on numerous public bodies, including the Finance, Expenditure Review, Bond, and the Audit Committees, the Cablevision Commission, the Board of Pensions and Retirement, the Home Ownership Corporation, Wilmington Economic and Financial Advisory Council (WEFAC), and the Port Authority; and

WHEREAS, the Honorable Theodore Blunt stands as one of the most exemplary leaders in the history of the Council of the City of Wilmington. His legacy is marked not only by his largesse as a decision-maker, but also by the high standards of ethics and morality he instilled in the numerous public servants who had the privilege to serve alongside him.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body designates the Commemorative Wall located on the first floor of the Louis L. Redding City/County Building as the Theodore Blunt Commemorative Wall as a testament to the extraordinary life, legacy, and invaluable contributions of the Honorable Theodore "Ted" Blunt to the City of Wilmington and the Council of the City of Wilmington. May this Wall remind those who serve of the exceptional standards of commitment set by those who came before us. May it inspire all who look upon it to honor the endowments our past while always rising to the challenge of expanding on these achievements toward a brighter tomorrow.

BE IT FURTHER RESOLVED that this Legislative body deems it necessary and appropriate that any future structures erected to succeed the Theodore Blunt Commemorative Wall on the first floor of the Louis L. Redding City/County Building, or any functional equivalent placed elsewhere in the future, bear the name of this great leader in honor of his enduring significance to the history and character of the Council of the Wilmington City.

Upon a motion of Council Member Oliver, seconded by Council Members McCoy and Owens, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke to the purpose of the resolution and made comments. Council Members Johnson, Hackett, Bracy and Owens requested to be added as a co-sponsor and made comments.

President Congo requested the Clerk to call for the roll.

The above-referenced Resolution was received, adopted as read and recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Oliver, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, eight. Absent, Council Members Darby, Harlee, Field, Cabrera and Spadola. Total, five.

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Owens presented Resolution 25-008 (Agenda #0011) as follows:

WHEREAS, Senate Bill 43 with Senate Amendment 2 (SB 43 w/ SA 2), An Act to Amend Title 24 of the Delaware Code Relating to the Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration Examiners, would preempt municipalities' authorities to set professional standards and licensing requirements for plumbing or HVACR licensees to the Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration Examiners ("Board"); and

WHEREAS, § 1801 states that the "primary objective of the Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners, to which all other objectives are secondary, is to protect the general public." 24 Del. C., Chapter 18, as written, grants political subdivisions discretion to propose additional or modified heating, ventilation, air conditioning, and refrigeration (HVACR) regulations for review and approval, under the condition that they do not conflict with the International Mechanical Code (IMC) and the International Fuel Gas Code (IFC); and

WHEREAS, the ICC (International Code Council) Plumbing and Mechanical Code tests required by the State of Delaware for the issuance of professional licenses are open-book, multiple-choice tests administered by computer. The exams assess theoretical knowledge but do not require license candidates to demonstrate practical application of their professional competence; and

WHEREAS, the Wilmington City Council 2022-2025 Strategic Plan prioritizes Code Enforcement as an essential component of maintaining a "Stabilized Wilmington." The provisions of 24 Del. C., Chapter 18 have allowed the City of Wilmington to work collaboratively with the Board to test HVACR and plumbing candidates' capacities to execute tasks safely and in adherence with the specific requirements of the Wilmington City Code; and

WHEREAS, this Council expresses strong opposition to the passage of SB 43 w/ SA 2. The amendments it proposes to Title 24 of the State Code would inhibit the City's autonomy to ensure that professionals licensed to work in the City of

Wilmington are cognizant of and proficient in standards and regulations pertinent to the local infrastructure; and

WHEREAS, within the past three years, Wilmington's requirement process has identified 24 individuals who were erroneously granted State licenses; and

WHEREAS, the existing authority to establish local regulations is pivotal to municipalities' roles in reinforcing the Board's primary objective of protecting the general public. As Delaware's largest municipality, the City of Wilmington's urban infrastructure presents unique challenges that are not prevalent in other localities, including shared walls and chimneys, high-rise and mixed-use structures, and older historic buildings; and

WHEREAS, the provisions of 24 Del. C., Chapter 18, as it is currently written, allow the Board's oversight authority to review and determine whether additional or modified regulations proposed by municipalities will be approved. The existing process facilitates coordination and shared responsibility for ensuring that candidates are adequately vetted prior to receiving licenses.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body expresses strong objections to Senate Bill 43 with Senate Amendment 2 (SB 43 w/ SA 2), An Act to Amend Title 24 of the Delaware Code Relating to the Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration Examiners, which would negatively impact the autonomy of the City of Wilmington to establish specific regulations that are reflective of local infrastructure and inhibit the shared coordination that has been evidenced to prevent unqualified professionals from receiving HVACR and plumbing license. Most importantly, it would jeopardize the health and safety of residents.

BE IT FURTHER RESOLVED that this Legislative body encourages the members of the Delaware General Assembly to oppose SB 43 w/ SA 2.

Upon a motion of Council Member Owens, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Owens and President Congo spoke to 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 recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member Owens presented Resolution 25-009 (Agenda #0012) as follows:

WHEREAS, House Bill 15 (HB 15), An Act to Amend Title 14 of the Delaware Code Relating to Play-Based Learning in Early Childhood Education, would permit early childhood educators in public schools to use and encourage play-based learning in preschool, kindergarten, and grades one through three in their classrooms and curriculum. It also permits local education agencies to provide early childhood professional development in play-based learning, which may include professional development programs developed by the Department of Education. Play-based learning is defined “as any learning activity that is performed by a child for self-amusement that has behavioral, social, and psychomotor rewards.” It may also mean “activities that are child-directed, joyful, and spontaneous whereby the rewards come from the individual child”; and

WHEREAS, HB 15 adheres to the Wilmington City Council 2022-2025 Strategic Plan legislative priority of a "Wilmington For All Ages" that engages in advocacy and support for Wilmington’s youth in the educational process; and

WHEREAS, this Council recognizes the profound potential of play-based learning in early childhood education to foster critical cognitive, social, emotional, and physical development. Currently, all early education facilities are not equipped with the resources or capacity to fully implement play-based learning programs. HB 15 permits child-directed experiences based upon developmentally-appropriate early childhood practices including movement, creative expression, exploration, socialization, reading for pleasure, art, music, and dramatic play. It also empowers local education agencies and the Department of Education to provide guidance and resources for educators to effectively incorporate play-based practices into their curricula; and

WHEREAS, children need a variety of skills to optimize their development. HB 15 aims to leverage play with adults and other children to help young learners practice fundamental sociobehavioral concepts like sharing and conflict resolution. HB 15 incorporates and integrates play-based learning into daily practice of a child's life. This ensures that lessons are engaging for children and increases the probability that children will retain the information;and

WHEREAS, play allows children to express their creativity and imagination, HB 15 allows the needs of students to be met through free play or through guided play and games. Children can create their own worlds, build upon their natural curiosity, stories, and characters, which fosters their imagination and innovative thinking.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is strongly in favour of House Bill 15 (HB15), An Act to Amend Title 14 of the Delaware Code Relating to Play-Based Learning in Early Childhood Education. This legislation would play a critical role in harnessing the joy that is critical to creativity and learning for children at young ages.

BE IT FURTHER RESOLVED that the Wilmington City Council urges the honorable members of the Delaware General Assembly to support HB 15, which authorizes local education agencies and the Delaware Department of Education to facilitate play-based learning in curricula for preschool through third-grade students and to offer professional development in play-based learning for public school early childhood educators.

Upon a motion of Council Member Owens, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Owens spoke to 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 recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member Owens presented Resolution 25-010 (Agenda #0013) as follows:

WHEREAS, the Wilmington City Council 2022–2025 Strategic Plan envisions a “Safe and Secure Wilmington,” by prioritizing “Crime Prevention and Intervention.” House Bill 35 (HB 35), An Act Proposing An Amendment to Article I of the Delaware Constitution Relating to Prohibition of the Death Penalty, prohibits the imposition of the death penalty under the Delaware Constitution; and

WHEREAS, a 2016 Delaware Supreme Court ruling held that the State’s death sentencing procedures were in violation of the United States Constitution. At the time of the ruling, 13 inmates were sentenced to death. No new sentencing procedures were enacted at the time. In 2024, Governor John Carney signed a bill that officially barred the state of Delaware from imposing capital punishment. HB 35 would codify these protections under the Delaware Constitution; and,

WHEREAS, Innocence Project Delaware currently serves over 175 applicants. Over half of these applicants convicted in the past decade, were from Wilmington. According to the Death Penalty Information Center (DPIC), for every 8.2 people executed in the United States in the modern era of the death penalty, one person from death row has been exonerated, or had their conviction reversed due to demonstrated innocence or flaws in the judicial process; and

WHEREAS, one of the goals of a “Safe and Secure Wilmington” is crime prevention, or deterrence of crimes before they are acted out. There is no evidence tying the death penalty to crime deterrence. Data collected by the DPIC shows that, from 1990 to 2020, states with capital punishment sentencing options had higher murder rates per capita than states without. Since the 2016 Delaware Supreme Court ruling, Wilmington has experienced an overall downward trend in murder rates, with the 2023 rate falling to the lowest it has been since 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is in favor of House Bill 35 (HB 35), An Act Proposing An Amendment to Article I of the Delaware Constitution Relating to Prohibition of the Death Penalty.

BE IT FURTHER RESOLVED that this Legislative body encourages the members of the Delaware General Assembly to support House Bill 35, An Act Proposing An Amendment to Article I of the Delaware Constitution Relating to Prohibition of the Death Penalty, in furtherance of a “Safe and Secure” Wilmington and Delaware.

Upon a motion of Council Member Owens, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Members Owens spoke to the purpose of the resolution and made comments. Council Members McCoy, Willauer, Johnson and Hackett made comments. Council Members Johnson and Hackett requested to be added as a co-sponsors.

President Congo requested the Clerk to call for the roll.

The above-referenced Resolution was received, adopted as read and recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member Owens presented Resolution 25-011 (Agenda #0014) as follows:

WHEREAS, in accordance with the Wilmington City Council 2022-2025 Strategic Plan goal of promoting a “Healthy Wilmington” with physical health services to support all residents, House Bill 3 (HB 3), An Act to Amend Title 11 of the Delaware Code Related to Breastfeeding facilitates comprehensive perinatal healthcare for women in the custody of the Department of Corrections (DOC), as well as resources for postnatal maternal and infant health; and

WHEREAS, HB 3 creates a breastfeeding and lactation program within the DOC to accommodate pregnant, postpartum, and lactating women in custody. The program includes provisions for expressing, disposing, and storing breast milk for delivery to infants and toddlers, supplying the necessary equipment, offering nutrition information and meal plans, and mandates the DOC to publish an annual report on program participation and services provided; and

WHEREAS, three-quarters of incarcerated women are of childbearing age. Nearly 80% were sexually active with men within the three months prior to their incarceration. As a result, around 1,400 pregnant women are admitted to state and federal prisons nationally, leading to over 800 pregnancies in custody. Additionally, only 50% of pregnant women in state prisons and 46% in federal prisons receive prenatal care; and

WHEREAS, the number of women in Delaware’s prisons has more than tripled between 1978 and 2017. At any given time, 11 to 20 of the approximately 375 female prisoners at Baylor Women’s Correctional Institution are pregnant. Pregnant prisoners give birth at Christiana Hospital but must return to the prison with restrictions,

separated from their infants, who are typically handed off to family members or placed in foster care; and

WHEREAS, breast milk is naturally produced and readily available, significantly reducing infant mortality and improving maternal health and postpartum recovery, while also lowering overall healthcare costs. Fully-breastfed infants generally require fewer sick visits, prescriptions, and hospitalizations. The Centers for Disease Control and Prevention (CDC) reports that insufficient breastfeeding rates contribute to over \$3 billion in additional annual healthcare costs in the U.S. for both mothers and children; and

WHEREAS, breast milk provides essential antibodies, vitamins, minerals, and fatty acids that are crucial for the health, growth, and development of infants. It reduces their risk of various conditions including severe lower respiratory tract infections, gastrointestinal illnesses, ear infections, asthma, sudden infant death syndrome (SIDS), childhood obesity, and childhood leukemia; and

WHEREAS, breastfeeding provides benefits for mothers after childbirth, including a reduced risk of certain breast and ovarian cancers, type 2 diabetes, high blood pressure, and decreased postpartum bleeding; and

WHEREAS, due to the benefits of breastfeeding, exclusive breastfeeding is recommended by maternal health professionals for the first six months of life, and mothers are encouraged to continue breastfeeding for at least one year and up to two years and beyond; and

WHEREAS, breastfeeding provides essential bonding between the mother and child, promoting child development and maternal well-being. Skin-to-skin contact helps babies feel safe, warm, secure, and loved, while also boosting oxytocin levels, which aids milk flow and calms mothers; and

WHEREAS, incarceration imposes postpartum separation, severely disrupting infant proximity and physical contact. This disruption negatively impacts the vital bonding and emotional connection between mother and child, potentially leading to adverse effects on the mother's mental health and the child's early development; and

WHEREAS, the breastfeeding and lactation program that HB 3 proposes to establish within the DOC will ensure health equity by providing essential maternal and infant care. This initiative not only benefits the individual families involved but also contributes to broader public health, fostering a healthier and more equitable community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body expresses strong support for HB 3, An Act to Amend Title 11 of the Delaware Code Related to Breastfeeding. **BE IT FURTHER RESOLVED** that this Council encourages the honorable members of the Delaware General Assembly to support the passage of HB 3.

Upon a motion of Council Member Owens, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Members Owens spoke to the purpose of the resolution and made comments.. Council Member Hackett and President Congo requested to be added as a co-sponsors and made comments.

President Congo requested the Clerk to call for the roll.

The above-referenced Resolution was received, adopted as read and recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member Owens presented Resolution 25-012 (Agenda #0015) as follows:

WHEREAS, the Wilmington City Council’s 2022-2025 Strategic Plan prioritizes a “Healthy Wilmington”, emphasizing residents’ quality of life, well-being and access to quality healthcare; and

WHEREAS, *Senate Bill No. 5 (SB 5), An Act Proposing an Amendment to Article I of the Delaware Constitution Relating to the Right to Reproductive Freedom, codifies every individual’s right to make and effectuate reproductive decisions regarding “all matters relating to pregnancy, contraception, sterilization, abortion care, miscarriage management and infertility care”; and

WHEREAS, the American Pregnancy Association and the American College of Obstetricians and Gynecologists estimate that 15-20% of all clinically-recognized pregnancies end in miscarriage. These realities carry serious health implications for individuals and families; and

WHEREAS the maternal mortality in Delaware averages 17 deaths per 100,000 live births. The Delaware Healthy Mother and Infant Consortium has deduced that the rate of maternal morbidity and infant mortality in Delaware can be reduced through better access to quality and comprehensive clinical resources and public education initiatives. *SB 5 will decrease actual and systemic barriers inhibiting these public health initiatives; and

WHEREAS, the leading causes of infant mortality are issues related to maternal complications and unintentional injuries. The infant mortality rate in Delaware is significantly higher than the national infant mortality rate. The five-year average infant mortality rate in the City of Wilmington is among the highest in the State; and

WHEREAS, The National Infertility Association estimates that 213,043 Delaware women have experienced physical difficulty in carrying pregnancy to live birth. Delaware’s fertility care and preservation laws have allowed those diagnosed with infertility to access less invasive interventions to achieve successful pregnancy. *SB 5 will further preserve access to these services; and

WHEREAS, various state-run clinics, federally qualified health centers, and private-public initiatives have succeeded in helping individuals prevent unplanned, high-risk pregnancies by increasing access to contraception, sterilization, counseling, as well as prenatal and postpartum care. *SB 5 will allow Delawareans to continue accessing these services; and

WHEREAS, around 99% of reported abortions in Delaware are performed 16 weeks before the gestational period. Delaware’s laws provide exceptions to

the gestational limit to protect the life, physical, or mental health of the pregnant individual. *SB 5 would enshrine the capacity for individuals and families to make these important decisions in the constitution of our State.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the honorable members of the Delaware General Assembly to support *Senate Bill No. 5 (SB 5), An Act Proposing an Amendment to Article 1 of the Delaware Constitution Relating to the Right to Reproductive Freedom.

BE IT FURTHER RESOLVED that this Legislative body expresses strong support for the proposed amendment to Article I of the Delaware Constitution, as outlined in *SB 5, to ensure that every Delawarean has a fundamental right to reproductive freedom.

Upon a motion of Council member Owens, and seconded by Council Members Johnson and Hackett a floor amendment was made to reflect the Substitute to Senate Bill No. 5 (SB5) now titles SS1 to SB5. Motion prevailed.

Upon a motion of Council Member Owens, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Owens spoke to 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 recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution 25-013 (Agenda #0016) as follows:

WHEREAS, Section 2-369 of the City Code requires grants awarded by the Mayor, City Council, or the City Treasurer in the amount of \$5,000 or more within a fiscal year to be approved by resolution of City Council; and

WHEREAS, Developing Next-Level Achievers, Inc. has previously received \$7,999 in Community Support/ Discretionary Funds from various Councilpersons in Fiscal Year 2025; and

WHEREAS, City Council Member Yolanda M. McCoy wishes to award a grant to Developing Next-Level Achievers, Inc. in the amount of \$3,000 from the Community Support/ Discretionary Funds, which has been allocated to provide sponsorship by various Councilpersons of community initiatives; and

WHEREAS, Developing Next-Level Achievers, Inc. is a 501(c)3 community development corporation that “provides community resources to uplift

creatives, entrepreneurs, and innovators through equitable education and resources and create spaces for people to grow, excel, and express themselves freely”; and

WHEREAS, these funds will be used to support the development of a podcast studio, along with AI (artificial intelligence)-related training webinars and initiatives at the Developing Next-Level Achievers (DNA) Cultural Arts Center; and

WHEREAS, DNA has set a goal of providing enhanced services to the community, “fostering creativity, cultural expression, and personal development.” The awarded funds would assist with transforming an existing space at DNA into a fully equipped podcast studio and offering webinars and training in emerging AI technologies that can facilitate digital content creation that amplifies local voices and stories.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Council hereby approves the issuance of a grant to Developing Next-Level Achievers, Inc. in the amount of \$3,000.

BE IT FURTHER RESOLVED that this grant contribution is in accordance with the 2022-2025 Wilmington City Council Strategic Plan goal of fostering a “Business Friendly Wilmington” that “provides resources for Neighborhood Business Corridors.”

Upon a motion of Council Member McCoy, seconded by Council Members Owens and Bracy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member McCoy spoke to 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 recorded to be filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Owens, Willauer, McCoy, Johnson, Bracy, Hackett, and President Congo. Total, seven. Absent, Council Members Darby, Oliver, Harlee, Field, Cabrera and Spadola. Total, six.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented and called for the first and second reading Ordinance No. 25-005 (Agenda #0018) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AND AGREEMENT BETWEEN THE CITY OF WILMINGTON AND AXON ENTERPRISE, INC. FOR INTERVIEW ROOM EQUIPMENT AND RELATED SERVICES.

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

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: upcoming March 19th Health, Environmental, Aging and Disabilities committee meeting information was shared regarding Senior High rise concerns; New Castle County Reassessment appeals and swim classes at William Hicks Anderson Community Center; upcoming Public Safety Committee meeting information shared, along with the 6th District Town Hall meeting; South West Civic Association meeting information shared and including but not limited to everyone was thanked for joining tonight's meeting and was encouraged to contact Council Office with any questions and/or concerns.

ADJOURNMENT

Upon a motion of Council Member Owens seconded by Council Member Bracy, Council adjourned at 7:49 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the March 6, 2025 City Council meeting at the following link:

<https://www.witn22.org/programs/#/?video=4245>

Attest: *Akira Grenardo*
Akira Grenardo, City Clerk