

*Wilmington City Council
Wilmington, Delaware
April 3, 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*, McCoy, Johnson, Field, Bracy, Cabrera*, Spadola, and Council President Congo. Total, nine. Absent with leave, Council Members Darby, Harlee, Willauer. Total, three.

MINUTES

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

COMMITTEE REPORT

Public Safety Committee Member	Present	Absent w Leave	Absent w/out Leave
Yolanda M. McCoy, Chair	X		
James Spadola, Vice Chair	X		
Latisha Bracy		X	
Shané N. Darby		X	
Christofer Johnson	X		
Zanthia Oliver	X		
Ernest "Trippi" Congo, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

March 10, 2025

Ladies and Gentlemen:

We, your Public Safety Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 25-005** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN
AGREEMENT

INC. FOR BETWEEN THE CITY OF WILMINGTON AND AXON ENTERPRISE,
INTERVIEW ROOM EQUIPMENT AND RELATED SERVICES.

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

Respectfully submitted, Members of
Public Safety Committee

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

TREASURER'S REPORT

The following Treasurer's Report for March 20, 2025 was read into the record by City Clerk and upon a motion of Council Member McCoy, seconded by Council Member Owens, 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 April 03, 2025

Cash - Ledger Balance (as of 04/02/2025):

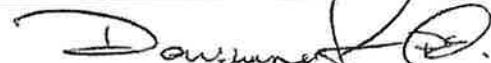
General	M & T Bank	\$ 8,199,995.00
Payroll	M & T Bank	\$ 1,918,691.80
Law Department Court Costs	M & T Bank	\$ 4,487.07
Total Petty Cash	M & T Bank	\$ 5,871.68
Police - Evidence Found (Currency)	M & T Bank	\$ 1,199,738.95
Police & Fire Remembrance	M & T Bank	\$ 12,844.49
Police Department Discretionary	M & T Bank	\$ 36,476.46
Rent Withholding Escrow	M & T Bank	\$ 23,937.97
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		\$ 11,514,806.29

Cash Equivalents & Investments (as of 04/02/2025):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	3.25%	\$ 2,637.07	\$ 29,806,399.90
General	TD	High Yield Checking	2	3.56%	\$ 2,637.31	\$ 13,334,708.39
General	TD	High Yield Checking	2	3.56%	\$ 1,547.91	\$ 7,826,494.12
General	TD	High Yield Checking	2	3.56%	\$ 542.22	\$ 2,741,557.69
SUB-TOTAL:						\$ 53,709,160.10
Account Type & Fund						
Police & Fire Remem.	WSFS	CD	6/23/2025	3.92%	\$ 449.21	\$ 27,320.51
General	TD	CD	4/21/2025	4.28%	\$ 114,325.40	\$ 31,019,854.60
General	TD	CD*	4/18/2025	4.28%	\$ 33,694.08	\$ 9,446,937.69
SUB-TOTAL:						\$ 40,494,112.80
RESERVE:						
General ¹	PNC	T-Bills	4/10/2025	4.30%	\$ 69,800.00	\$ 19,967,200.00
SUB-TOTAL:						\$ 19,967,200.00
RESTRICTED:						
Capital Project	TD	CD	4/18/2025	4.28%	\$ 2,898.30	\$ 812,607.28
Capital Project	TD	CD	4/18/2025	4.28%	\$ 80.21	\$ 22,488.00
Capital Project	TD	CD	4/18/2025	4.28%	\$ 21,544.58	\$ 6,040,537.41
Water/Sewer	PNC	T-Bills	4/10/2025	4.30%	\$ 55,200.00	\$ 15,786,300.00
State Bonds Proceeds-FY23	TD	CD	4/18/2025	4.28%	\$ 5,997.01	\$ 1,681,403.92
People's Settlement	TD	High Yield Checking	2	4.01%	\$ 2,682.29	\$ 12,040,222.30
State Bonds Bill FY24	TD	High Yield Checking	2	4.01%	\$ 741.21	\$ 3,327,148.86
State Bonds Bill FY25	TD	High Yield Checking	2	4.01%	\$ 393.15	\$ 1,764,749.19
SUB-TOTAL						\$ 41,475,456.96
Total Investments						\$ 155,645,929.86
Total Cash on Hand						\$ 11,514,806.29
Grand Total						\$ 167,160,736.15

¹ Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines


DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

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

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City of Wilmington



DaWayne Sims
City Treasurer

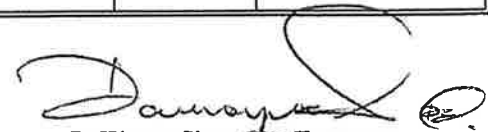
Treasurer's Report - Pensions I April 03, 2025

Cash - Ledger Balance (as of 04/02/2025):

Pension Payroll	M & T Bank	\$	139,633.90
Retiree Healthcare	M & T Bank	\$	5,321,743.97
Police Pension	M & T Bank	\$	1,000.00
Fire Pension	M & T Bank	\$	1,000.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	15,280.15
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		\$	5,493,130.83

Cash Equivalents (as of 04/02/2025) & Investments (Market Value as of Mar 28, 2025)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension III	TD	CD	5/23/2025	4.28%	\$ 7,302.69	\$ 1,023,741.77
SUB-TOTAL:						\$ 1,023,741.77
RESERVE:						
Pension Trust	Rhumblin (S&P 500)					\$ 108,498,291.00
Pension Trust	Earnest Partners					\$ 17,245,997.00
Pension Trust	Dodge & Cox					\$ 8,774,409.00
Pension Trust	WCM Global Fund					\$ 8,731,599.00
Pension Trust	MFS Low Global					\$ 9,032,482.00
Pension Trust	Fidelity Total Intl. Index					\$ 26,127,595.00
Pension Trust	GQG Emerging					\$ 4,549,602.00


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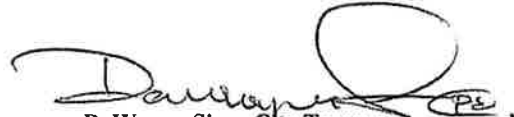
DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II April 03, 2025

Investments (Market Value Mar 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					\$ 34,359,992.00
Pension Trust	Rhumblin Core					\$ 30,189,770.00
Pension Trust	Fidelity Bond Index					\$ 9,734,892.00
Pension Trust	Money Market					\$ 12,136,836.00
Pension Trust	OPEB Trust Fund					\$ 35,903,983.00
SUB-TOTAL						\$ 339,276,131.00
Total Investments						\$ 340,299,872.77
Total Cash on Hand						\$ 5,493,130.83
Grand Total						\$ 345,793,003.60
Total Funds under Treasury Management:						
Total Investments						\$ 495,945,802.63
Total Cash on Hand						\$ 17,007,937.12
Grand Total¹						\$ 512,953,739.75

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 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

- | | |
|---------|---|
| Harlee | Recognize Jacqueline Means |
| Harlee | Recognize Stop the Violence Prayer Chain Foundation (14 Year Anniversary) |
| Hackett | Recognize Lamar Mason (Checkrock League) |
| Spadola | Recognize Captain Matthew Rosaio |

b. Sympathy Resolutions

- | | |
|---------|--|
| Cabrera | Sympathy William "Dale" Anderson |
| Cabrera | Sympathy Detective Joseph Anthony Azcona |
| Cabrera | Sympathy Georgia Ann Bernard |
| Oliver | Sympathy John K. Williams |
| Oliver | Sympathy Shirley Elaine Stewart |
| Oliver | Sympathy Leyon Kawa Walker |
| Oliver | Sympathy Marisol Baez |
| Oliver | Sympathy Blair Ann Clark |
| Oliver | Sympathy Hazel Lee Brown |
| Owens | Sympathy Ronnie Wise |
| Spadola | Sympathy Paul W. Garwood |
| Spadola | Sympathy Lieutenant Gregg W. Shelton |

** During this time Council Members Oliver and Cabrera were recognized as present in Council Chambers which is reflected in the Roll Call.*

PUBLIC COMMENTS

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

- Dora Williams
- Deacon Earl Tate

LEGISLATIVE BUSINESS

President Congo made the announcement that the following items Sponsored by Council Member Darby, will be HELD.

Agenda #0026 An Ordinance to Amend Chapter 45 of the City Code to Retain a Third-Party Vendor to Conduct a Full Operational and Financial Assessment of the Water/Sewer Fund and Perform a Feasibility Study to Establish an Affordable Water Program

Agenda #0027 An Ordinance to Amend Chapter 45 of the City Code to Prohibit the Department of Finance from Including Arrearages of Unpaid Water, Sewerage, and Stormwater Fees and Related Costs in Monitions actions Against Customers that are Owner-Occupants

Agenda #0028 An Ordinance to Amend Chapter 45 to Prohibit Water Service Disconnections for Nonpayment of Utility Charges

Agenda #0029 An Ordinance to Amend Chapter 34 of the City Code to Provide for Residential Rent Stabilization

Council Member McCoy presented Resolution No. 25-014 (Agenda #0024) on behalf of President Congo as follows:

WHEREAS, in accordance with Section 2-104 of the City Charter, City Council shall provide for such committees as it deems necessary; and

WHEREAS, City Council deems it desirable to establish the standing committees of Council for the 109th Council Session; and

WHEREAS, City Council deems it necessary to amend Resolution # 25-002 to add Council Members Zanthia Oliver and Christofer Johnson to the Intergovernmental standing committee, and to make Christofer Johnson the Vice Chair of the Intergovernmental standing committee; and

WHEREAS, Council Member Latisha Bracy has been removed from the Intergovernmental standing committee at their request; and

WHEREAS, Council Member Christofer Johnson has been removed from the Health, Environmental, Aging & Disabilities standing committee at their request; and

WHEREAS, City Council deems it desirable to make changes to the personnel assignments to such standing committees.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the standing committees of the Council of the City of Wilmington for the 109th Council Session has been amended and the personnel assignments for such committees shall be as follows:

Community Development & Urban Planning

Maria D. Cabrera, Chair
Shané N. Darby, Vice Chair
Nathan Field
Alexander Hackett
Yolanda M. McCoy
Coby Owens
Christian Willauer

Education, Youth & Family Services

Latisha Bracy, Chair
Alexander Hackett, Vice Chair
Michelle Harlee
Yolanda M. McCoy
Zanthia Oliver
Coby Owens

Finance & Economic Development

Michelle Harlee, Chair
Latisha Bracy, Vice Chair
Shané N. Darby
Alexander Hackett
Zanthia Oliver
James Spadola

Intergovernmental

Shané N. Darby, Chair
*Christofer Johnson, Vice Chair
Christian Willauer
*Zanthia Oliver

Public Safety

Yolanda M. McCoy, Chair
James Spadola, Vice Chair
Latisha Bracy
Shané N. Darby
Christofer Johnson
Zanthia Oliver

**Health, Environmental,
Aging & Disabilities**

Coby Owens, Chair
Christian Willauer, Vice Chair
Maria D. Cabrera
Nathan Field
Alexander Hackett

Public Works & Transportation

Zanthia Oliver, Chair
Nathan Field, Vice Chair
Christofer Johnson
Coby Owens
Christian Willauer

Upon a motion of Council Member McCoy, seconded by Council Member Harlee, 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, Oliver, Harlee, McCoy, Johnson, Field, Hackett, Spadola, and President Congo. Total, nine. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total four.

President Congo declared the Resolution **adopted**.

Council Member Owens presented Resolution 25-015 (Agenda #0025) as follows:

WHEREAS, the thirteen members of Wilmington City Council take an oath of office to faithfully fulfill their positions, which calls upon them to formulate

policy and legislation, vote on legislation, adopt an annual operating budget, and provide oversight of City departments; and

WHEREAS, a fundamental aspect of the legislative process is a Councilmember's ability to understand the other Councilmembers' positions on a piece of legislation; and

WHEREAS, the legislative and policy-making functions of City Council are furthered by the informal, direct flow and sharing of information, research and ideas between and among Councilmembers; and

WHEREAS, a caucus whip, a traditional position in legislative bodies, plays a particularly important role in facilitating communication and information gathering concerning legislators' positions on legislation, as do individual legislators who sponsor the legislation; and

WHEREAS, meetings of City Council are subject to the Delaware Freedom of Information Act ("FOIA"), which requires meetings of any public body to be open to the public and noticed at least seven (7) days in advance of each meeting; and

WHEREAS, FOIA provides an exemption for meetings of any caucus of the Delaware Senate or Delaware House of Representatives, but it does not provide for a similar exemption for any caucus of City Council; and

WHEREAS, due to the large membership of City Council, the high volume and broad scope of the legislation it considers, and the limited duration of its legislation sessions, an exemption for meetings of any caucus of City Council would substantially benefit the legislative process, while not sacrificing FOIA's general policy of open access to the deliberation of public business, as all legislation considered and voted on by City Council still takes place in open meetings in committees and at regularly scheduled meetings of City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, the Wilmington City Council urges the General Assembly to enact legislation creating an exemption from FOIA for meetings of any caucus of the Wilmington City Council.

BE IT FURTHER RESOLVED, that the Wilmington City Council specifically requests that the members of the General Assembly amend Title 29, Section 10002 of the Delaware Code with the addition of the underlined language to read as follows:

§ 10002. Definitions.

(a) – (b) ---

(c) "Caucus" means members of the House of Representatives or Senate or members of the legislative body of the City of Wilmington, of the same political party, who assemble to discuss matters of public business.

(d) – (j) ---

(k) "Public body" means, unless specifically excluded, any regulatory, administrative, advisory, executive, appointive or legislative body of the State, or of any political subdivision of the State, including, but not limited to, any board, bureau, commission, department, agency, committee, ad hoc committee, special committee, temporary committee, advisory board and committee, subcommittee, legislative committee, association, group, panel, council or any other entity or body established by an act of the General Assembly of the State, or established by any body established by the General

Assembly of the State, or appointed by any body or public official of the State or otherwise empowered by any state governmental entity, which:

- (1) Is supported in whole or in part by any public funds; or
- (2) Expends or disburses any public funds, including grants, gifts or other similar disbursements and distributions; or
- (3) Is impliedly or specifically charged by any other public official, body, or agency to advise or to make reports, investigations or recommendations.

“Public body” shall not include any caucus of the House of Representatives or Senate of the State or any caucus of the legislative body of the City of Wilmington. “Public body” shall include any authority created under Chapter 14 of Title 16.

(l) – (r) ---

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

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, Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, nine. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Harlee presented and called for the first and second reading of Ordinance No. 25-011 (Agenda #0030) entitled:

AN ORDINANCE CONSTITUTING AMENDMENT NO. 3 TO THE FISCAL YEAR 2025 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-016) (EMS/AMBULANCE SERVICES)

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

Council Member Harlee presented and called for the first and second reading of Ordinance No. 25-012 (Agenda #0031) entitled:

AN ORDINANCE TO AMEND CHAPTER 10 OF THE CITY CODE TO REVISE FEES FOR AMBULANCE AND RELATED SERVICES

PROVIDED BY THE FIRE DEPARTMENT

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

Council Member Harlee presented Resolution 25-016 (Agenda #0032) as follows:

WHEREAS, Section 2-204 of the Wilmington City Charter ("Charter") requires that City Council meet at least twice every month; and

WHEREAS, Section 2-204 of the Charter also permits additional meetings to be held when requested by the Mayor, President of City Council, or a majority of the City Council in accordance with the procedural rules of City Council; and

WHEREAS, legislators, including the members of the Wilmington City Council, have a wide array of responsibilities. Council meetings are significant, but not exclusive, components of Council Member's obligations of transparency and public accountability. As public servants, they function as a bridge between the institutional apparatuses and their constituents; and

WHEREAS, permitting, but not requiring, City Council meetings in the months of August and December will facilitate increased efficiency and productivity of City Council, as well as the functioning of City departments more generally in accordance with the Wilmington City Council 2022-2025 Strategic Plan Goals of "Transparent and Well-Represented Wilmington;" "Connected, Informed and Engaged Wilmington;" and maintenance of a "Prosperous and Sustainable Wilmington"; and

WHEREAS, like many other public institutions, the City of Wilmington has faced staffing shortages that have impacted the character of public service provision. City employees have been called upon to manage a greater breadth of responsibilities within the same time constraints as when multiple individuals participated in completing these tasks. The months of August and December are critical junctures in the City's legislative and administrative cycles for Council Members and staff citywide; and

WHEREAS, the City of Wilmington's fiscal year begins in July. The implications of the new fiscal year impact all aspects of City government. July and August are the periods when City departments must adapt their policies and procedures to absorb the operational implications of the new fiscal year. Permitting, but not requiring, City Council meetings in the month of August would allow Council Members the flexibility to devote time to helping constituents better understand the implications of the impending fiscal year budget and various legislative matters; and

WHEREAS, within the same period, Wilmington's City Clerk, Council staff, and other relevant personnel must devote additional resources to processing the documentation of the budgetary process and legislative matters, as well as upholding the values of transparency by making the information available to the public in a timely manner. Permitting, but not requiring, City Council meetings in the month of August would support staff's efforts by allowing them to undertake the process more efficiently,

provided that there are no pressing matters requiring the Council's attention in the month of August; and

WHEREAS, December is the prelude to the new legislative year. During this period, Council Members familiarize themselves with their agendas for the year, as well as those of the incoming legislators of the Delaware General Assembly. The conclusion of the calendar year is also a time when the City's staff must prepare essential annual reports on key public service indicators that bolster transparency and provide City leaders with essential data on constituents' needs for future planning; and

WHEREAS, permitting, but not requiring, City Council meetings in the month of December would provide Council Members with more opportunities to solicit feedback from constituents as they develop their priorities and to prepare for the impacts of legislative actions that take effect at the beginning of the calendar year. An amendment to Section 2 of the City of Wilmington Home Rule Charter would increase efficiency and productivity by allowing staff to allocate more time to finalizing administrative reports and other activities in accordance with their respective mandates; and

WHEREAS, in ENVIRONMENT INTERNATIONAL 154 (2021), the World Health Organization and International Labour Organization found that working long hours is a common contributor to increased health concerns. An amendment to Section 2 of the City of Wilmington permitting, but not requiring, City Council meetings in the months of August and December is more appropriate to the unprecedented contexts in which legislators and their institutions now operate. It would contribute positively to mitigating employee health risks due to the pressures of managing the demands of these meetings alongside their many other responsibilities; and

WHEREAS, City employees' time and City resources involved in preparing and managing City Council meetings will be more efficiently apportioned by permitting, but not requiring, City Council meetings in the months of August and December. A typical Council meeting can cost approximately \$2,500 to \$3,000. Each requires the presence of multiple staff, including, but not limited to, the City Clerk and Deputy Clerk, an Assistant City Solicitor, WITN22 technology staff, security staff, and a quorum of Council Members; and

WHEREAS, since 2018, the number of items on City Council meeting agendas has decreased for the months of August and December. From 2018 to 2023, Council Members voted on an average of two to three agenda items in the month of August and an average of five to six items in December; and

WHEREAS, an Act to Amend Section 2 of the City of Wilmington Home Rule Charter to Permit, but Not Require, City Council Meetings in the Months of August and December would serve the interests of efficiency, productivity, and accountability, as well as facilitate transparency by supporting the timely creation and release of pertinent information to the Council Members and constituents; and

WHEREAS, 22 Del. Code § 811 permits the City Charter to "be amended by act of the General Assembly, passed with the concurrence of two-thirds of all the members elected to each House thereof"; and

WHEREAS, consistent with Part III, Chapter 2, Section 3(B) of the Delaware Legislative Drafting Manual (2019 ed.), the Wilmington City Council has attached a draft proposed General Assembly bill as Attachment A.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington City Council urges the Delaware General Assembly to amend City Charter § 2-204 to exclude August and December from the twice-a-month meeting requirement except when a meeting is requested by the Mayor, President of City Council, or a majority of the City Council.

BE IT FURTHER RESOLVED that an amendment to Section 2 of the City of Wilmington Home Rule Charter that authorizes, but does not mandate, City Council meetings in the months of August and December would expand the capacity of the Wilmington City Council, in particular, and the City of Wilmington, more broadly to uphold its duties to effectively serve its constituents.

Upon a motion of Council Member Harlee, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee 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, Oliver, Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, nine. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Ordinance No. 25-005 (Agenda #0018) and called for the third and final reading as follows:

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

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

Council Member McCoy spoke to the Ordinance and made comments. Council Members Hackett and Oliver 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 Owens, Oliver, Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, nine. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Ordinance **adopted**.

Council Member McCoy presented Resolution 25-017 (Agenda #0033) 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 2024 Emergency Management Performance Grant ("EMPG"), a passthrough grant from the Federal Emergency Management Agency to the Delaware Emergency Management Agency, in the amount of \$164,000.00; 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 \$328,000.00, thereby creating a local match requirement of \$164,000.00; 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 \$164,000.00 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 Oliver, 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, Oliver, Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, nine. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Johnson presented and called for the first and second reading of Ordinance No. 25-013 (Agenda #0034) entitled:

AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY CODE TO PERMIT THE CULTIVATION, MANUFACTURE, TTESTING, AND RETAIL OF RECREATIONAL MARIJUANA WITHIN CERTAIN COMMERCIAL, MANUFACTURING, AND WATERFRONT ZONING DISTRICTS

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

Council Member Field presented Resolution 25-018 (Agenda #0035) on behalf of Council Member Cabrera, as follows:

WHEREAS, the City of Wilmington (the “City”) is an “Entitlement Community” for purposes of the Community Development Block Grant Program (the “CDBG Program”), the HOME Investment Partnerships Program (the “HOME Program”), the Emergency Solutions Grant Program (the “ESG Program”), and the Housing Opportunities for Persons With AIDS Program (the “HOPWA Program”); and

WHEREAS, the United States Department of Housing and Urban Development (“HUD”) regulations require a consolidated application process for funds for the CDBG Program, the HOME Program, the ESG Program, and the HOPWA Program; and

WHEREAS, on June 6, 2024, City Council adopted Resolution 24-029, which approved the City’s annual action plan for City fiscal year 2025/federal fiscal year 2024 (the “CFY25/FFY24 Plan”) and authorized the Mayor to submit it to HUD; and

WHEREAS, on December 12, 2024, City Council adopted Resolution 24-070, which approved the first substantial amendment to the CFY25/FFY24 Plan and authorized the Mayor to submit it to HUD; and

WHEREAS, the City has prepared a second substantial amendment to the CFY25/FFY24 Plan (the “Substantial Amendment”) that adds \$350,000 in CDBG Program funding for the First Start Homebuyers Program to the CFY25/FFY24 Plan using available prior year grant funds; and

WHEREAS, a copy of the amended and restated CFY25/FFY24 Plan, which incorporates the Substantial Amendment, is attached hereto and incorporated herein as Attachment “A” (the “Amended and Restated CFY25/FFY24 Plan”); and

WHEREAS, City Council’s Community Development and Urban Planning Committee and the Mayor’s Office have reached a consensus with respect to specific categories of spending and the amount of funds to be allocated to each such category in the Substantial Amendment; and

WHEREAS, the referenced HUD regulations require that certain public participation requirements must be satisfied regarding proposed substantial amendments to Consolidated Plans, and the City has met such requirements with respect to the Substantial Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Mayor John Carney, or his designee, is hereby authorized to execute and submit the Substantial Amendment to HUD that adds \$350,000 in CDBG Program funding for the First Start Homebuyers Program to the CFY25/FFY24 Plan using available prior year grant funds.

BE IT FURTHER RESOLVED that City Council hereby endorses the specific enumeration of categories and amounts set forth in the Amended and Restated CFY25/FFY24 Plan, a copy of which is attached hereto as Attachment “A” and made a part hereof, and so endorses said enumeration, with the understanding that the Mayor’s Office will expend funds and administer the funding program in a manner consistent with said enumeration and will review substantial changes, as defined by the Consolidated Plan regulations, in the enumeration of categories and amounts with the Community Development and Urban Planning Committee of City Council prior to the implementation of any such changes.

BE IT FURTHER RESOLVED that Mayor John Carney, or his designee, is hereby further authorized to certify to such matters as the Secretary of HUD may require with the application, to provide additional information as may be required, and to administer and expend such funds as are received or become available in accordance with the Consolidated Plan regulations and the regulations governing the CDBG Program, the HOME Program, the ESG Program, and the HOPWA Program.

Upon a motion of Council Member Field, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Field 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, Harlee, Johnson, Field, Hackett, Spadola and President Congo. Total, seven. Present, Council Members Oliver and McCoy. Total, two. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Spadola presented Resolution 25-019 (Agenda #0036) as follows:

WHEREAS, Section 3-906 of the Wilmington City Charter establishes the City Planning Commission, which is composed of five (5) members appointed by the Mayor, the Director of the Finance Department, and the Administrative Assistant (or Chief of Staff) to the Mayor; and

WHEREAS, the City Planning Commission is responsible for reviewing and/or making recommendations on proposed changes to the zoning code, zoning map, subdivision regulations, large scale redevelopment plans and Comprehensive Plans; and

WHEREAS, Title 22, Section 701 of the Delaware Code is an enabling statute that permits any incorporated city or town in Delaware to establish a planning commission; and

WHEREAS, pursuant to the enabling statute, in the case of cities, the members of a planning commission are to be appointed by the mayor and confirmed by the city council; and

WHEREAS, Wilmington City Charter does not require the five (5) members appointed by the Mayor to serve on the City Planning Commission to be confirmed by City Council; and

WHEREAS, the confirmation process is an important step to ensure the qualifications and performance of the members of the City Planning Commission, who perform a vital service to the City government and the residents of the City of Wilmington; and

WHEREAS, City Council believes that requiring the appointed members of the City Planning Commission to be confirmed is consistent with the practice of all the major cities in Delaware, the letter and spirit of the enabling statute, and is in the best interest of City residents; and

WHEREAS, pursuant to Title 22, Section 811 of the Delaware Code, a municipal corporation's home rule charter may be amended by act of the Delaware General Assembly passed with the concurrence of two-thirds of all members elected to each House thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, this Council respectfully requests the members of the Delaware General Assembly to amend Sections 3-906 of the City of Wilmington Charter by adding the underlined language and deleting the stricken language to read as follows:

Sec. 3-906. – City Planning Commission.

The city planning commission shall be composed of five (5) appointed members appointed by the mayor and confirmed by the council, and the director of finance and the administrative assistant to the mayor. Of the appointed members, at least four (4) shall be persons who hold no other public office or paid public employment.

Upon a motion of Council Member Spadola, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Spadola spoke to the purpose of the resolution and made

comments. Council Members Hackett, Harlee, Spadola, Johnson, McCoy, and Owens 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, Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, eight. Present, Council Member Oliver. Total, one. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Spadola presented Resolution 25-020 (Agenda #0037) as follows:

WHEREAS, the Wilmington City Council 2022-2025 Strategic Plan prioritizes a “Safe and Secure Wilmington.” The City of Wilmington is committed to providing the highest level of public safety through a well-staffed, well-equipped, and well-trained police force; and

WHEREAS, the Wilmington Police Department (WPD) has faced challenges related to officer retention and recruitment, reflecting a national trend of declining interest in law enforcement careers. As of February 10, 2025, WPD was approximately 26 officers below authorized strength; and

WHEREAS, since 2017, Council has approved the commencement of seven Police Academy Classes by resolution when WPD manpower has fallen below 95 percent of the authorized strength. In 2019, the 99th Wilmington Police Academy reported 32 graduates out of 175 applicants. In the 100th Police Academy, which was held in 2020, 19 of 131 candidates accepted employment offers. The 101st Police Academy graduated 13 of 102 candidates. In the 102nd Police Academy, seven of 51 applicants were offered positions with WPD, and in the most recent class, six of 77 recruits joined the WPD; and

WHEREAS, the City seeks to implement innovative strategies to attract and retain highly qualified officers to meet public safety objectives. Among the reasons candidates cited for withdrawing from the application process, accepting employment with other police departments has been a recurring response. An expanded take-home vehicle program has been identified as a potential benefit that could enhance officer satisfaction, improve retention, and serve as a valuable recruitment tool by offering a tangible incentive to both current and prospective officers; and

WHEREAS, Delaware State Police, New Castle County Police, and numerous neighboring municipalities offer some form of take-home vehicle program. Take-home vehicle programs in other jurisdictions have demonstrated additional benefits, including increased police visibility in neighborhoods, faster response times when off-duty officers are called to emergencies, and improved vehicle maintenance and accountability due to individual officer responsibility for assigned vehicles; and

WHEREAS, as of Fiscal Year 2022, approximately 56 WPD officers participated in the take-home vehicle program; and

WHEREAS, an analysis is necessary to evaluate the financial and operational feasibility of expanding eligibility for the program, including but not limited to, the costs associated with vehicle acquisition, maintenance, insurance, fuel, and the potential long-term savings from less frequent need for police academies, reduced attrition, and hiring expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council hereby requests that the Administration, in coordination with the Wilmington Police Department (WPD), conduct a comprehensive cost-benefit analysis to assess the viability of expanding eligibility for the take-home vehicle program for WPD officers.

BE IT FURTHER RESOLVED that the analysis should include, but not be limited to, the following components: retention and recruitment benefits, with an assessment of how an expanded take-home program could improve officer retention rates and serve as an incentive in recruitment efforts, including comparisons to other jurisdictions where similar programs have been successful; cost analysis, with a detailed breakdown of the program's anticipated marginal costs, including vehicle procurement, maintenance, fuel, insurance, and administrative oversight; potential savings, with evaluation of potential savings from improved retention, reduced overtime related to quicker response times, and lower recruitment and training expenses due to decreased turnover; operational and logistical considerations, review of the impact on vehicle availability for active duty, maintenance schedules, and guidelines for off-duty use; and community impact, with exploration of how increased police visibility and faster emergency response times could benefit Wilmington neighborhoods and overall public safety.

BE IT FURTHER RESOLVED the Administration is requested to present its findings and recommendations to the City Council within a reasonable timeframe, not to exceed six (6) months from the passage of this Resolution.

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

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 Harlee, McCoy, Johnson, Field, Hackett, Spadola and President Congo. Total, seven. Nays, Council Members Owens and Oliver. Total, two. Absent, Council Members Darby, Willauer, Bracy and Cabrera. Total, four.

President Congo declared the Resolution **adopted**.

PETITIONS AND COMMUNICATIONS

Council Member Harlee requested a communication be read into the record, and referred to the Planning Commission. The request was submitted by Abbott Consulting Services, on behalf of Shamrock3, LLC to rezone six (6) parcels on Lobdell and Bradford Streets. The motion was made by Council Member Harlee, seconded by Council Member Johnson. Motion prevailed.

Council Members and Council President spoke on the following: Mayor's Town Hall meetings at Wilmington Library and Claymore Senior Center. Other Community meeting dates were shared. Reminder of the City-wide clean up on April 12th. Budget Hearing continue please attend. Also, upcoming Community Development & Urban Planning Committee meeting to discuss the marijuana legislation, 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 Harlee, Council adjourned at 8:43 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the April 3, 2025 City Council meeting at the following link:
<https://www.witn22.org/programs/#/?video=4296>.

Attest: Akira Grenardo
Akira Grenardo, City Clerk