

**MINUTES OF THE MEETING OF THE
CITY OF SEAFORD MAYOR AND COUNCIL**

January 23, 2018

7:00 PM

Mayor David Genshaw called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilwoman Grace Peterson, Councilman Orlando Holland, Councilman H. William Mulvaney, III and Councilman Dan Henderson. Charles Anderson, Assistant City Manager, Trisha Newcomer, ED/IT Manager, June Merritt, Director of HR/Finance and Bill Bennett, Director of Electric, were also present.

Mayor Genshaw offered the opening prayer and led those present in the Pledge of Allegiance.

Mayor Genshaw solicited any changes to the agenda; there were none.

Mayor Genshaw called for a motion to approve the minutes of the regular meeting on January 9, 2018. Councilman Mulvaney made a motion to approve the minutes from the January 9, 2018 Council Meeting. Councilwoman Peterson seconded the motion; the motion so passed with all present voting in favor.

CORRESPONDENCE

There was none.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- January 25, 2018 Delaware League of Local Governments dinner meeting, Duncan Center; 5:30 p.m.
- January 30, 2018; 12:00, noon Sussex County Profile Luncheon, SCORE meeting facility, Georgetown, DE
- February 7, 2018 Danny Short's Coffee Meeting, Nanticoke Senior Center; 8:00 a.m.
- February 7, 2018 SCAT dinner meeting with Sussex County Legislators; 6:00 p.m., Cheer Center.
- February 9, 2018 FY'19 Planning Session, City Hall, 8:30 a.m. – 3:00 p.m.

CITY OF SEAFORD
Municipal Election – April 21, 2018

The City of Seaford Municipal Election will be held on Saturday, April 21, 2018 in the City Council Chambers, City Hall, 414 High Street, between the hours of 7:00 a.m. E.S.T. and 3:00 p.m. E.S.T.

One (1) Mayor will be elected for a (2) year term and
Two (2) Council Members will be elected for a (3) year term.

All candidates must have filed by 5:00 p.m., E.S.T., February 23, 2018. Registration can be completed at City Hall, 414 High Street. Registration hours are Monday through Friday, 8 a.m. until 5:00 p.m. or by appointment if you cannot register during these normal business hours. Any candidate who withdraws his/her name must do so in writing. Any candidate who withdraws his/her name after 5:00 p.m., E.S.T., February 23, 2018 will still appear on the official ballot for election. Anyone eighteen (18) years of age or older who is a bona fide resident to be eligible to vote **must have been registered at the Seaford City Hall by 5:00 p.m., E.S.T., March 23, 2018.** A nonresident property owner to be eligible to vote must be owner of record for a period of six (6) months immediately preceding the date of the Annual Municipal Election (October 21, 2017) and shall have one vote **provided he or she is registered on the “Books of Registered Voters” maintained at the City Hall. Registration hours are Monday through Friday, 8 a.m. until 5 p.m. or by appointment if you cannot register during these normal business hours.**

The City of Seaford has independent registration procedures for the Annual Municipal Election. To vote, you must meet the eligibility requirements and be registered on the “Books of Registered Voters” maintained at City Hall.

A person shall be required to register only one time. You are urged to check your registration if you did not vote in the last municipal election. If you have moved out of the City after your original registration, you will need to check your registry to assure you are an eligible voter.

All voters will need to show proof of residency which may be a State of Delaware driver’s license, a State of Delaware identification card, a federal or state tax return with address, a City of Seaford utility bill or real estate property tax bill, or other acceptable proof of residency or ownership.

CANDIDATES FILED:

Mayor David Genshaw has filed for re-election as Mayor

Matthew MacCoy has filed for Council

Patricia Jones has filed for Council

Councilman Orlando Holland has filed for re-election for Council

Shane Beard has filed for Council

James King has filed for Council

Mayor Genshaw asked for any committee reports. Councilwoman Peterson stated that Building Official, Mike Bailey reported that his department has issued six permits this month. They are doing routine inspections for ongoing projects, violation inspections, and performing plan reviews for new permits. Mike attended the Planning and Zoning meeting on January 11th and is now preparing

for February. Shannon Passwaters is processing plumber and trash hauler licenses. Walt Fa't is closing out old permits and performing regular inspections. The status on the Royal Farms property is that the site plan has been approved.

Superintendent of Parks and Recreation, Katie Hickey reported that the mulch trailer needed minor repairs to be ready for Spring. The Parks Department is refinishing the picnic tables that are used for city events. The Recreation's basketball league will have games all week except on Thursday, and on January 24th the wrestling participants will get their tee shirts. Katie is finalizing the delivery of a new printer/copier with Xerox. She has a Riverfest meeting on February 1, and is finishing the FY'19 budget for Parks and Recreation.

PUBLIC HEARING

Mayor Genshaw closed the Regular Meeting at 7:05 p.m. and opened the Public Hearing.

Mayor Genshaw presented Public Hearing Item #1, Grotto Pizza, LLC, TMP# 331-6.00-9.00, & Tharp Road Properties, TMP# 331-6.00-9.01, 9.03, 9.06, are seeking a preliminary site plan review for a proposed Wawa convenience store with associated parking, gasoline pumps and access driveways. Assistant City Manager Charles Anderson introduced Mr. Chris Mondoro from Bohler Engineering, Mr. Dave Cantara and Mr. Fred Willis were also introduced as representing the project. Assistant City Manager Anderson stated that there will be 55 parking spaces available and only 29 are required by Code. He added that the location is zoned C-2 Highway Commercial. It will be a 5,612 square foot convenience store and will require a lot subdivision. Grotto's will have to reconfigure their parking lot and will not lose any parking spaces. The project does require approvals from DelDot, Sussex Conservation District, and the State Fire Marshal office. Assistant City Manager Anderson reviewed the proposed site plans for the facility.

Mayor Genshaw asked for any questions from Council. Councilman Henderson asked if there will be a traffic signal added on Tharp Road. Mr. Mondoro stated that it is not proposed at this time; however, there will be turn lanes added in that area.

Councilwoman Phillips-Lowe asked about the project's location and if it would be a part of the current Grotto's parking lot. Assistant City Manager Anderson stated that it will be located in the area between the Verizon Wireless and Grotto's location, which is currently a retention pond and parking lot area. Mr. Mondoro stated that the storm water management features will be relocated to the rear of the site. He added that his clients own the property behind the site to Preservation Drive. He stated that they are currently going through the design phase, and are working with Sussex County Conservation District on a planned relocation of the storm water management facility on the site.

Mayor Genshaw asked for any questions from the public. Mrs. Trina Joyner came forward asking if there was a traffic impact study done for the area. She added that it is already hard to get in and out of the area due to WalMart being located near the site. Mr. Mondoro stated that the existing access from Route 13 will stay the same. They have been working with DelDot and have submitted the information to them. He expects in about 4-6 weeks to get feedback from them regarding the proposed access improvements. Mr. Mondoro also added that additional right and left turn lanes

will be added and they will show on the final plans. He hopes to have the plans finalized by the end of the year. Mrs. Joyner also asked if this will be a 24-hour store. Mr. Mondoro stated that yes, they typically are 24-hour locations.

Assistant City Manager Anderson presented the Findings of Facts for Public Hearing Item #1:

- Project: Wawa Convenience Store
- Owners: Grotto Pizza Seaford LLC & Tharp Road Properties LLC
- Zoning: C-2 Highway Commercial
- Preliminary site plan review for a 5,612 sf convenience store with fuel island and site improvements.
- Parking spaces provided: 55
- Tax Map & Parcel #'s 331-6.00-9.00,9.01,9.03,9.06
- Property is located on Sussex Hwy
- Project requires approval from:
 - DelDot
 - Sussex Conservation District
 - Office of the State Fire Marshal
- Planning and Zoning made a favorable recommendation to Council.

Assistant City Manager Anderson presented Public Hearing Item #2, The City of Seaford and/or Two Farms, Inc. property owners of Tax Map and Parcel # 4-31-5.00-208.00, located at the corner of N. Front Street and E. King Street, are requesting to subdivide TMP # 431-5.00-208.00 to create a new lot consisting of 9,488 +/- sq. ft. with the remaining lands to be combined into a larger parcel TMP # 431-5.00-214.00. The proposed lot complies with Sec. 15-48e. Area and bulk requirements, (b)f. Lot size. The minimum lot size is 4,500 sf. Assistant City Manager introduced Mr. Randy Bendler from Bendler Realty who is representing Two Farms, Inc.

Assistant City Manager Anderson stated that this is a lot subdivision for 500 High Street, where the current Royal Farms store is located. The 9,488 +/- lot to be created will be at the corner of N. Front Street and King Street. The remainder of the land will be retained by Royal Farms and consolidated into one larger parcel for the new store. Mr. Bendler stated that the lot to be created is for a proposed playground. He added that the playground is fully funded and will be a tot lot geared towards special needs children.

Mayor Genshaw asked for any questions from Council. Councilwoman Peterson asked if the playground has an address. Assistant City Manager Anderson stated that it does not have one now, however, we will work with Sussex County to get one established after the lot is created.

Mayor Genshaw asked for any questions from the Public. There were none.

Assistant City Manager Anderson presented the Findings of Facts for Public Hearing Item #2:

- 9,488 +/- sq. ft. lot to be created at the corner of N Front Street and King Street.
- Royal Farms to deed the new lot back to the City for future playground.

- Remainder of land to be retained by Royal Farms and consolidated into one larger parcel for the new store.
- Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw closed the Public Hearing at 7:20 and reopened the Regular Council Meeting.

Mayor Genshaw then called for a motion for Public Hearing Item #1. Councilman Mulvaney made a motion to approve Grotto Pizza LLC, TMP # 331-6.00-9.00 & Tharp Road Properties, TMP #'s 331-6.00-9.01,9.03,9.06, preliminary site plan for a proposed Wawa convenience store with associated parking, gasoline pumps and access driveways. Councilwoman Phillips-Lowe seconded the motion.

Mayor Genshaw then called for a Roll Call Vote:

Councilman Henderson voted yes based on the findings of the facts;
Councilwoman Phillips-Lowe voted yes based on the findings of the facts;
Councilwoman Peterson voted yes based on the findings of the facts;
Councilman Mulvaney voted yes based on the findings of the facts;
Councilman Holland voted yes based on the findings of the facts.

Mayor Genshaw then called for a motion for Public Hearing Item #2. Councilman Holland made a motion to approve The City of Seaford and/or Two Farms Inc., property owners of TMP # 431-5.00-208.00, located at the corner of N. Front Street and E. King Street, to subdivide TMP # 431-5.00-208.00 to create a new lot consisting of 9,488 +/- sq. ft. with the remaining lands to be combined into a larger parcel TMP # 431-5.00-214.00. Councilwoman Peterson seconded the motion.

Mayor Genshaw then called for a Roll Call Vote:

Councilman Henderson voted yes based on the findings of the facts;
Councilwoman Phillips-Lowe voted yes based on the findings of the facts;
Councilwoman Peterson voted yes based on the findings of the facts;
Councilman Mulvaney voted yes based on the findings of the facts;
Councilman Holland voted yes based on the findings of the facts.

NEW BUSINESS

Mayor Genshaw presented New Business item #1, Lieutenant Peter Bohn to present a recommendation to place "school" signage on Pine Street near St. John's Church. Assistant City Manager Anderson stated that a request was made from a Pine Street resident to place school signs on Pine Street to notify the public of the pre-school located at St. John's Church. A committee was put together consisting of Berley Mears, Director of Public Works, Lt. Bohn, and Mr. Anderson.

Lt. Bohn stated that he did some research on the request and found that the school zone law applies to grades K-12, or schools having 140 people or more per hour who drop off or pick up

their child at the location. Lt. Bohn added that the only children that walk to the preschool are from the daycare across the street.

It was added that when the traffic is coming off of Third Street, they are turning right and going into the parking lot exit due to cars being parked in the front area of the facility entrance. This is a safety concern since the traffic is going the wrong way on the one way street; Pine Street.

The committee is recommending to place a "School Speed Limit 20 When Children are Present" sign on the west side of Pine Street (near the northern property line of the Church property) to alert the driving public that a school is present in the area, reduce speed and to use caution. Also, one "Do Not Enter" and one "One Way" sign are to be installed at the intersection of Pine Street and Third Street to alert drivers of the traffic pattern in the area and to assist in the adherence to the specific ingress and egress patterns to the school parking lot.

Mayor Genshaw called for any questions or comments from Council. Councilman Henderson asked if the committee considered a reduced speed limit on Pine Street. Assistant City Manager Anderson stated that they did not look at that; they looked specifically at the request that they were given.

Assistant City Manager Anderson added that they did speak with Mrs. Bee, St. John's Preschool Administrator, and she had no objections to the installation of the proposed signage.

Mayor Genshaw called for any further questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to approve the placement of a "School Speed Limit 20 When Children Are Present" sign on the west side of Pine Street, near the northern property line of the Church property, and the placement of one "Do Not Enter" and one "One Way" sign to be installed at the intersection of Pine Street and Third Street. Councilman Holland seconded the motion; the motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #2, Downes Associates to present the 2018 PCAC Relevelization, Impacts, & DPL/DEC Rate Comparisons. Mr. George Owens from Downes Associates came forward to present the information. Mr. Owens shared the relevelization and rate impacts analysis from February 2017 and January 2018. After looking at the numbers, February 2017 PCAC net rate impact to customers was 2.2% and in January 2018 the impact to customers was -5.3%. Councilman Henderson pointed out that the 5% line loss estimate does not include the upgrades to the substation that are currently under construction. Mr. Owens stated that was correct and it is expected to reduce that number with the new transformers. He added that with the distribution system improvements, a further improvement of that number should also be made. Councilman Henderson added that the advanced meter project is also in progress. These improvements have not yet been factored in with the numbers that are being discussed tonight.

Mr. Owens also presented comparisons of Seaford's Residential Rates with DPL and DEC. He added that DPL has proposed a rate increase this year. He stated to keep in mind that the DEC

only does one thing, therefore he feels that DPL is the best comparison to the City of Seaford rates.

Mr. Owens stated that the City of Seaford is currently in the process of replacing the Central Substation, which was failing. The completion of the project is about 90-120 days away. The project has been great so far, the contractor has been great to work with and we were able to get ahead of 3-4 hurricanes with materials procurement. He added that the project is under budget and ahead of schedule currently. Mr. Owens stated that the hope is to put the first load onto the first substation transformer around the first of February, and the end of March have the second transformer in service.

Mr. Owens stated that the City has set money aside for this project and due to that, the City is now able pass the 2018 wholesale rate reduction to the customers. He added that this investment that was made is a 50-year lifetime investment for the substation. Councilman Henderson pointed out that there is a difference between the City of Seaford and other DEMEC members compared to DPL and DEC. DPL and DEC do not provide critical services such as Police and Fire like the municipalities do.

Mayor Genshaw called for any questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to set the power cost adjustment clause (PCAC), beginning with February 2018 electric bills will be increased from a credit of (\$0.00257) /kWh to a larger credit of (\$0.01002) /kWh. Councilman Mulvaney seconded the motion; the motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #3, Mayor David Genshaw to recommend to the City Council an appointment for City Manager. Mayor Genshaw stated that current City Manager Dolores Slatcher has announced her retirement as of February 28, 2018. He, along with the City Council, has given much thought to a replacement, and has conducted interviews as he knows this is a role that will be hard to fill. He is recommending to appoint current Assistant City Manager Charles Anderson to be the next City Manager effective March 1, 2018.

Mayor Genshaw asked for any questions or comments from Council; there were none.

With no other questions or comments, Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve Charles Anderson as City Manager effective March 1, 2018. Councilman Mulvaney seconded the motion; the motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #4, Present for approval an employment contract for the City Manager position. Mayor Genshaw stated that the contract is a basic employment contract similar to past contracts for the position.

Mayor Genshaw asked for any questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilwoman Peterson made a motion to approve the employment contract for the City Manager as presented. Councilman Henderson seconded the motion; the motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #5, Present for approval a three-year renewal of the Hooper's Landing Golf course Agreement with Adkins Management. Mr. Chris Adkins from Adkins Management Company came forward. He provided an outline of the services that are included in the contract that Adkins Management Company would have with the City of Seaford. Mr. Adkins stated that golf is a weather-dependent sport, which can affect the revenue numbers. He added that some local Country Clubs have closed, which has helped Hooper's Landing gain more business. Mr. Adkins stated that last year the revenues from the facility fell just short of the cost share threshold.

Mayor Genshaw stated that he appreciates the value of the work that Adkins Management Company does. He added that the course is top-notch and it is important to the City of Seaford.

Mayor Genshaw asked for any questions or comments from Council; there were none.

With no further questions or comments, Mayor Genshaw called for a motion. Councilman Holland made a motion to approve a three-year renewal of the Hooper's Landing Golf course Agreement with Adkins Management Company as presented. Councilwoman Phillips-Lowe seconded the motion; the motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item # 6, Bill Bennett, Director of Electric, to provide an update on the Pine Street Substation and Distribution improvements projects. Mr. Bennett stated that the substation is about 80% complete. All of the steel work has been completed and they have finished the duct bank work. He added that AUI has been a great contractor to work with and has only had three days of the contract lost to bad weather.

The week of February 12-16, there will be training done for the new system and the control house equipment. QEI, along with Mark from Downes Associates, will be doing testing and training staff on the system.

The week of February 19-23, the 69kV underground wire will be energized, and sometime between February 22-26 transformer B will be energized.

Mayor Genshaw called for any questions or comments from Council; there were none.

Mayor Genshaw presented New Business Item #7, DEMEC to present an award in recognition of Seaford's status as a winner of multiple reliability awards from The American Public Power Association (APPA). Mr. Pat McCullar, President, and Ms. Kimberly Schlichting, Vice-President, of DEMEC were in attendance to present the award. Mr. McCullar came forward stating that this is the third year that the City of Seaford has received this award. He added that this is a prestigious award to receive and gave praise to the City of Seaford staff and electric department on their hard work.

OLD BUSINESS:

Mayor Genshaw presented Old Business Item #1, Second reading of an ordinance to amend Chapter 15, Division 4; Design Standards – Commercial and Industrial Districts of the Municipal Code of Seaford, Delaware relating to Zoning, in the manner following, to wit:

Chapter 15 of the Municipal Code of Seaford, Delaware is hereby amended by adding a new language to Division 4 – Design Standards – Commercial and Industrial Districts to include R-3 High Density Residential Districts. Assistant City Manager Anderson stated that the first reading was presented at the last Council Meeting. He added that the City is proposing to change this code language to include R-3 districts. This will require new R-3 applications to follow those design standards in this ordinance.

Mayor Genshaw called for any questions or comments from the Council; there were none.

Mayor Genshaw then called for a motion. Councilwoman Peterson made a motion to adopt an Ordinance of the City of Seaford to amend Chapter 15, Division 4; Design Standards – Commercial and Industrial Districts of the Municipal Code of Seaford, Delaware relating to Zoning, by adding a new language to Division 4 - Design Standards – Commercial and Industrial Districts to include R-3 High Density Residential Districts. Councilman Holland seconded the motion; the motion passed with all present voting in favor.

COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that the City of Seaford Police Department, C Squad officers recovered two (2) grams of marijuana, 1.26 grams of methamphetamine (PCP), along with \$430 in suspected drug money; the subject was arrested. On January 17, 2018 A Squad officers engaged in a short vehicle and foot pursuit in which the subject was apprehended, along with 22 bags of heroin. The subject was arrested on various traffic and drug charges. Chief Flood attended the Sussex County Chiefs' meeting on January 16, 2018 at the Sussex County EOC in Georgetown. On January 17, 2018, Corporals Bradley and Wingate attended an Overdose Death Investigation training session at the Delaware State Police Training Academy in Dover, DE. CID is still investigating a sudden death incident at the Hampton Inn that occurred on January 2, 2018. All information leads to an overdose of the subject's prescription medications. The department is awaiting the Medical Examiner's report for a final cause of death. CID is working on a couple of investigations with the Delaware State Police. On January 17, 2018, CID attended the Lower Eastern Shore Investigators meeting at Wor-Wic Community College in Salisbury, MD. Preparations are underway for the Seaford Police Department awards ceremony, which will be held on Thursday, February 22, 2018 at 6 p.m. The Delaware State Police Academy graduation of Recruits Palm and Ruark is scheduled for February 16, 2018 at 4 p.m. at Dover High School. On January 17, 2018, Georgetown PD recovered a vehicle stolen in Seaford on Tuesday, Jan. 16. One suspect was arrested and transported to SPD. The suspect was arrested by SPD for the vehicle theft and other various charges. The suspect was also arrested for a traffic accident on January 9, 2018, a hit and run, in which a stolen vehicle from North Carolina was recovered. The suspect was committed to the Department of Corrections. On January 18, 2018 the SPD received

information that the National Academy has approved its three-year re-accreditation for the 911 Center. This has been a lengthy process and was submitted to the National Academy in December. Great job by our Dispatch Team and our Dispatch Administrator Anita Bell!

Councilman Henderson reported that Director of Electric Bill Bennett continued his regular onsite visits with AUI (contractor) on site at the Pine Street Sub-Station and the distribution portion of the project. He also attended progress meetings for these projects. He also attended a meeting of the Electric Committee. Progress was made on employee evaluations, and the FY '19 budget. Bill met with ACTS – Manor House regarding energy efficiency and cost lowering opportunities. The Central Substation was taken off line permanently. Salvage and demolition will commence in the near future. Monthly substation checks were performed. Meters were read during this period, and disconnects for non-payment were performed. City Electric Department personnel reinstalled, and relocated, a GOABS in the area of Harrington St. and Nanticoke Street. They also installed a new GOABS at the intersection of West Locust Street and Nylon Boulevard. There were no outages to report during the period.

Councilman Mulvaney reported that at the Wastewater Treatment Plant, performance and leachate treatment are good. A small amount of filamentous bacteria growth is being treated with chlorine. Work has begun on replacing the rotor and stator in one secondary waste pump. The renewal Wastewater Pretreatment permit for Orient Chemical was issued and they completed the year end reports for the State and EPA.

In Public Works, repairs were completed for six water leaks during and immediately after the recent severe cold snap at Sussex Ave Ext, 407 & 418 Phillips Street, West Spruce Street, 603 Hickory Lane and 529 McKean St. The department responded to many water service calls and complaints of no water. The soda ash fee motor was replaced at the 534 pump station. All of the plows and brining equipment was cleaned and serviced after the snow storm. All year end reports were completed for the State, and the Dulaney pump is still out of service awaiting replacement.

Councilman Holland reported that the reassessment for property taxes RFP has been advertised for responses. Several meetings were attended, including: substation and distribution improvements, progress, electric committee, Riverfest, phone system replacement at the PD, all employee meeting and the RTW press conference. The Council agenda was prepared for tonight's meeting.

In IT, a conference call was attended regarding the AMI project. A meeting was held to discuss the phone system at the PD. A conference call was held with Synovia for a budget item, and with AMI in reference to Utility Building additions. Research was done for the phone system and repairs to the Fiber converter at the Utility Building. Worked was also completed for budget items.

In Administration, billing reports were prepared and sent to Downes Associates for annual rate review. Custom reports were created for ElecSolve for the AMI project. Disconnects for non-payment were completed and utility bills for the month of December were processed and mailed.

Work was completed on the FY'19 budget. All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

With no further comments, Mayor Genshaw called for a motion to adjourn the meeting. Councilwoman Phillips-Lowe made a motion to adjourn the meeting. Councilwoman Peterson seconded the motion; the motion so passed with all present voting in favor. The meeting was adjourned at 8:52 p.m.

Charles D. Anderson, Assistant City Manager

/tnt