

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

October 24, 2017

7:00 PM

Mayor David Genshaw called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilman Orlando Holland, Councilman H. William Mulvaney III and Councilman Dan Henderson. Assistant City Manager, Charles Anderson and Director of Electric, Bill Bennett were also present.

Councilwoman Phillips-Lowe offered the opening prayer and Mayor Genshaw led those present in the Pledge of Allegiance.

Mayor Genshaw solicited any changes to the agenda. Assistant City Manager Anderson stated there were none.

Mayor Genshaw called for a motion to approve the minutes of the regular Council Meeting held on October 10, 2017. Councilman Henderson made a motion to approve the minutes of the October 10, 2017 Council Meeting. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

NEW BUSINESS

Mayor Genshaw presented New Business #1, Present a recommendation from the Economic Development Committee recommending a revision to the First Time Home Buyer Realty Transfer Tax ordinance. Assistant City Manager Anderson stated that the Economic Development committee met on October 13, 2017 to review the First Time Home Buyer Realty Transfer Tax ordinance. It was discussed that currently the City exempts both the buyer and seller from transfer tax when a First Time Home Buyer (FTBB) is involved in the transaction. Sussex County recently adopted a code revision and does not exempt the Seller from the transfer tax when a FTBB is involved in the transaction. If the City were to follow the practice of Sussex County, this would provide additional revenue to the City, while being less impactful to the community. The Seller would pay .75% in transfer taxes at the time of settlement. After collecting data from 2016 for properties sold within the City, the City could have potentially collected an estimated \$45,000.00 in additional revenues from the Sellers of properties sold to First Time Home Buyers.

Assistant City Manager Anderson added that the Economic Development committee's recommendation is to approve the amendment to Chapter 18- Realty Transfer Tax; Article 1- General Provisions 18.1.7; Rate of tax; when payable; exception (D) of the Municipal Code of Seaford, Delaware, by replacing the existing language with the proposed language.

Assistant City Manager Anderson stated that the recommendation is for the proposed change to go into effect January 1, 2018. This would give the City enough time to advertise the change to those affected.

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

Mayor Genshaw presented New Business #2, Present for a first reading an ordinance to amend CHAPTER 18 – REALTY TRANSFER TAX; ARTICLE 1 – GENERAL PROVISIONS; 18.1.7; Rate of tax; when payable; exception (D) of the Municipal Code of Seaford, Delaware. Assistant City Manager Anderson read the ordinance into the record as follows. On transfers where all grantees qualify as first-time home buyers, no transfer tax shall be imposed on the grantee's portion of any transfer tax as defined in 18.1.7 A hereof. For purposes of this article, "first-time home buyer" shall have that meaning give in 18.1.6 A. The first-time buyer exception, grantor and grantee shall be prohibited from contractually modifying the apportionment of the transfer tax as set forth in 18.1.7 A to decrease the grantor's portion of the transfer tax. This provision shall apply to all contracts entered into as of January 1, 2018, the effective date hereof.

Mayor Genshaw solicited any questions or comments from Council, there were none.

Mayor Genshaw presented New Business #3, Present a recommendation from the Economic Development Committee recommending a potential change to the current sewer extension project along US 13/Middleford Road to include extension of sewer to two contiguous properties on Middleford Rd – TMP # 331-7.00-75.00 BORNEL ENTERPRISES LLC and TMP # 331-7.00-74.00 CUMMINGS MIDDLEFORD RD LLC. Assistant City Manager Anderson stated that the Economic Development Committee met on October 13, 2017 to discuss a potential change to the current sewer extension project along US 13/Middleford Rd to include extension of sewer to two contiguous properties on Middleford Road. Assistant City Manager Anderson stated that back in the summer the Council approved a project scope that involved the extension of sewer south on Sussex Highway (US 13) from its current location to the Middleford Road/Sussex Highway intersection on the west side of Sussex Highway.

The City was approached by the Cummings heirs in regards to this extension and after discussing with them, City staff felt the need to reach out to Bornell Enterprises, the adjacent property owner between the Cummings property and the Gulf station property. The property owner advised he was also interested in connecting to the City water/sewer after the extension is completed, but wanted to consult with his accountant before committing to anything. It was noted that in order to have the business on Middleford Road connect to the sewer extension, they would need to be annexed, as well as pay the costs of the tap and impact fees applicable at the time of connection.

Assistant City Manager Anderson stated that after the Economic Development Committee met it was discussed whether the extension could proceed down Middleford Road and end west of Riverside Drive to provide sewer service to the entire area. It would allow more opportunities for businesses to connect to City water and sewer and potentially spur development of the corridor. The Economic Development Committee is recommending to pursue engineering with George, Miles & Buhr, to extend sewer to two contiguous properties, as well as cost estimate to take the sewer extension west to Riverside Drive.

Mayor Genshaw stated that the other towns around us are growing, in part, because they are ready with the infrastructure. Although it is a big cost to the City to do all of Middleford Road it is a good investment for economic development to come.

Councilman Henderson asked what the distance to Riverside Drive would be. Assistant City Manager Anderson stated that he was unsure but could respond with that information at a later date.

With no other questions or comments, Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve the Economic Development Committee's recommendation to have staff work with the City Engineer to evaluate a potential change to the current sewer extension project along US 13/Middleford Rd. to include extension of sewer to two contiguous properties on Middleford Rd. – TMP# 331-7.00-75.00 Borne Enterprises LLC and TMP# 331-7.00-74.00 Cummings Middleford Rd. LLC. In addition, have the City Engineer evaluate options to provide service to the Middleford Road corridor from Sussex Highway to Riverside Drive. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #4, Bill Bennett, Director of Electric to report on progress at Pine Street Substation and Distribution Improvements. Mr. Bennett stated that the transformers were delivered on October 5th. The week of October 16th Virginia Transformer came in to set the cooling fins and install the bushings on the top of the transformers. The contractor recently started work on the grounding grid and they are about 50% completed. All of the concrete work has been completed except four piers which are scheduled to be completed tomorrow and Thursday.

For the distribution improvements, City staff has set seven new poles on Cedar Ave. All the poles have been set on Hurley Park Drive, Tulip Place, Market Street and Virginia Ave. Blake Chaffinch recently went to Pennsylvania for the testing of the relay boards for the control house. Bill added that on October 31, 2017 the complete testing of the control house is scheduled.

Mayor Genshaw solicited any questions or comments from Council, there were none.

OLD BUSINESS

None

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- Downtown Seaford Association Halloween Parade on October 25th with line up at Cedar Avenue to SVFD starting at 6:15 p.m. with step off at 7 p.m. If rain activities will be at SVFD at 7 p.m.
- Sussex County Today and Tomorrow Conference; Wednesday, October 25, 2017, Delaware Technical Community College at 7:15 a.m.

- Delaware League of Local Governments, Duncan Center, October 26, 2017 social at 5:30 p.m. with dinner at 6:30 p.m.
- LEAF MACHINE WILL BE IN OPERATION STARTING OCTOBER 1st THROUGH DECEMBER 31st. In rain events help us to help you by clearing a catch basin or calling Public Works to have the catch basin cleaned at 302-629-8307 or after hours 302-629-4550.

COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that the Police Department is in the process of completing firearms re-certification and preparing for first aid re-certification. Applicant testing has been postponed until Saturday, November 11, 2017. Last week CID made 14 arrests on drug and paraphernalia charges. CID continues to work on criminal investigations. Ptl. McKinnon and Ptl. Wilson have been released from the Field Training Program to full duty after 16 weeks of training. On October 13, 2017 the Administrative hallway floor was replaced by the Slide-Loc company to match the flooring in the CID office. This was a budgetary replacement and is very nice. On October 17, 2017 Chief Flood attended the Sussex County Chiefs' meeting which was held at the Emergency Operations Center in Georgetown, Del. Sgt. Miller and Cpl. Bradley attended the annual Delaware State Homicide Conference in Dover, Del. On Friday, October 20, the SPD participated in the Family Fun Night, a trick or treat event, at the Western Sussex Boys & Girls Club.

Councilman Holland gave the Administration report. He stated that the Council agenda and presentation was prepared. Interviews for a new Customer Service Representative were completed. The following events were attended DE League dinner with DNREC Secretary Garvin as speaker and DNREC hearing on Water Quality Funds to be available. The APPA Conference in Charleston, SC was attended by Assistant City Manager Anderson. The Compact Tractor bids for the Parks Department were opened and the bid recommendation was completed. In the IT department, they attended Secure DE Workshop in Dover. Worked on software configurations & installs and participated in a conference call with AMP & Electsolve. Worked with Advanced Security Vendor and routine calls for service. Additional information to the auditors was provided. A new Customer Service Representative began employment, 10/23/2017. Worked with Edmunds & Associates on the AMI project and on the Solar Array reporting spreadsheet. All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilwoman Peterson submitted her report for the Code Department and Parks & Recreation. Building Official Mike Bailey reported as of Monday, Oct. 23, 256 permits have been issued this year. Grass violation notices have declined this month. Code is doing routine inspections and violations throughout the City. Mike has attended a State Housing Assistance program and GIS training this week. The old Cigarette Outlet building exterior has been completed.

Parks and Recreation Superintendent Katie Hickey reported that the Parks Department has been doing routine grass cutting, trash pick-up and prepping ball fields. Basketball and Wrestling are still

open to sign-up. Adult Soccer League had a championship game on Oct. 21, and the men's softball championship will be Wednesday, Oct 25. The Youth and Adult Flag Football will have playoffs this week. Katie attended the Trunk or Treat at the Boy's and Girl's Club on Friday, Oct. 20th with 300 in attendance. Parks and Rec are working on their (CIP) Capital Improvement Plan.

Councilman Mulvaney reported that the Public Works & WWTF personnel have thus far completed 75% of the hydrant flushing with only 3 hydrants needing replacement. The final manhole on Water Street has been repaired and much needed equipment maintenance was performed including the leaf machine as it hit the City streets on the 23rd for the first time this fall and will remain in service until December 31st. New water service was installed on a new residence at 116 Bradford Street and Jerry's paving installed the base coat at the Thompson Court extension,

Berley attended several meetings highlighted by the WIAC meeting where our 50% matching grants applications were approved for the Route 13 North water and sewer extension design project.

The Wastewater Treatment plant performance and leachate treatment are performing well, plenty of compost is available and one blower is out for rebuild.

In the upcoming two weeks the Thompson Court paving and patch repair should be completed as well as the hydrant flushing. The leaf machine will continue with frequent trips throughout the City as the leaves will begin falling in larger volumes.

Councilman Henderson reported that the Electric Department Director, Bill Bennett continued his regular meetings with AUI (contractor) on site at the Pine Street Sub-Station and the distribution portion of the project. He also completed daily work logs for these projects. Bill attended the D P & L Wholesale meeting in Ocean City, MD. He also attended the Delmarva Peninsula Planning Meeting. He laid out, and printed, the switching sequence for Monday 10/23/17 for the electrical system improvement project. Department personnel continued to accept and unload more freight at the Pine Street Sub-Station site.

In association with the current Infrastructure improvement project crews laid out poles on Cedar Avenue. They picked up primary wire from various locations. Blake Chaffinch worked on updating the SCADA system to accommodate the new substation running while the old Pine ST substation stays on line in reserve. A crew made up the terminators on the riser pole for Circuit 210. Ed Tumberlin, Greg Smart, Greg Brooke, & Miguel Hernandez attended a Miss Utility training session in Georgetown. Personnel checked in the RF network items that arrived for the AMI project. Tree trimming was performed on Pennsylvania Avenue and on Rust Street. There was one outage which occurred on Delaware Avenue due to a squirrel. The outage affected one customer for approximately one-half hour. Crews also responded to a loss of phase at the Nylon Capital Shopping Center.

With no further comments, Mayor Genshaw called for a motion to hold an Executive Session for the purpose of discussing personnel and litigation. Councilman Orlando Holland made a motion to hold an Executive Session for the purpose of discussing personnel and litigation; Councilwoman Leanne Phillips-Lowe seconded the motion with all present voting in favor of the motion at 7:45 p.m...

Mayor Genshaw reopened the Regular Meeting at 8:50 p.m. Mayor Genshaw requested a motion to adjourn the Regular Meeting. Councilwoman Leanne Phillips-Lowe made a motion to close the Regular Meeting of Mayor and Council; Councilman Orlando Holland seconded the motion with all present voting in favor. Mayor Genshaw closed the Regular Meeting at 8:51 p.m.

Charles D. Anderson, Assistant City Manager

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