

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

October 28, 2014

7:00pm

Mayor David C. Genshaw called the Regular Meeting to order with the following present: Councilwoman Grace Peterson, Councilwoman Leanne Phillips-Lowe, Councilman Orlando A. Holland, Councilman H. William Mulvaney III and Councilman Dan H Henderson. Dolores J. Slatcher, City Manager, Trisha Newcomer, ED/IT Manager, Berley Mears, Director of Public Works, Natalie Wilson, Superintendent of Parks and Recreation, and Charles Anderson, Assistant City Manager, were also present.

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

Mayor Genshaw solicited changes to the agenda. City Manager Slatcher stated that there was one change to the agenda, which included a public hearing presented by Brad Whaley with Sussex County Community Development for the Community Block Grant on behalf of the City of Seaford.

Mayor Genshaw called for a motion to approve the change to the agenda for October 28th. Councilwoman Peterson motioned the approval for the change in the agenda as presented. Councilman Mulvaney seconded the motion and the motion so passed with all present voting in favor.

Mayor Genshaw called for a motion to approve the minutes of the Regular Council Meeting of October 14, 2014. Councilwoman Peterson made a motion to approve the minutes of the Regular Council Meeting of October 14, 2014. Councilman Holland seconded the motion and the motion so passed; with all present voting in favor.

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

PH#1 – Mr. Brad Whaley, Director of Sussex County Community Development and Housing to present information on the Community Development Block Grant. City Manager Slatcher asked Brad Whaley, Director of Sussex County Community Development and Housing, to come forward. Mr. Whaley explained that his office applies for and administers funds for the Community Development Block Grant program, which are funds that come from the Department of Housing and Urban Development. The Delaware State Housing Authority applies on behalf of Kent and Sussex Counties, because they are too small to apply for themselves. Sussex County then applies on behalf of various communities throughout the County. Mr. Whaley said that the program's funds are primarily used for housing rehabilitation, sewer and water hookups, demolition and small infrastructure projects. The grant must benefit low to moderate income residents in Sussex County. The current income limitation for a one-person household is \$32,350, and it goes up about \$5,000 per household member. In the past the funds have primarily been used for housing rehabilitation projects such as roofing, plumbing, and heating system upgrades. A pro-rated, non-interest bearing lien is placed on the property once the work is completed. For example, if the

repairs on a house were \$10,000, there would be a 5 year lien placed on the property if the homeowner was over 62 and a 10 year lien placed if they were under 62. Then a certain percentage would come off of the lien each year, and if the homeowner remains in the house throughout the duration of the lien, then the lien expires. If the homeowner sells the property before the lien expires, the lien could be transferred to the new owner if they qualified, or the pro-rated amount would have to be paid back. That money would then go back into the same community. He said that demolitions are permanent liens which must be paid back. The grant is a first come first serve basis for those who qualify, and the residents that have been on the list the longest are the first ones to receive the grant.

Mayor Genshaw asked if there were any questions from Council, there were none. Mayor Genshaw then proceeded to ask if there were any questions or comments from the public, there were none.

Mayor Genshaw called for a motion to authorize his submission for the application of the Block Grant from Sussex County Community Development. Councilman Mulvaney made a motion to accept his submission of the application for the Sussex County Community Development Block Grant. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw called for a Roll Call Vote:

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

Mayor Genshaw confirmed it passed with all voting in favor.

PH#2- Nanticoke Memorial Hospital Inc., property owners of 200-300 Rawlins Drive, (Mears Campus) Tax Map & Parcel 3-31-5.00-13.01, is seeking a final site plan approval for a two-story 37,000 +/- sq. ft. addition of medical office space and site improvements. Mr. Littleton stated that the property is located at 200-300 Rawlins Drive and is identified as tax map and parcel 331-5.00-13.01. The property is zoned R-4 Institutional/Residential and the proposed expansion is for a two story medical office building connecting to the two existing buildings. The footprint of the new addition is 17,875 s.f. +/-; with approximately 35,750 sq. ft. +/- of new floor area throughout the 2 stories. The proposed new site layout will include: an additional 170 parking spaces will be provided w/ 3 handicap spaces; redesign of the storm water management system; additional landscaping throughout the site & sidewalk along Herring Run Rd. Mr. Littleton explained that final site plan approval has been received from: State Fire Marshal; Office of Drinking Water – 8” water service; Deldot LONO for Stormwater and Sussex Conservation District.

PH#3- Better Homes of Seaford, Inc., property owners of Chandler Heights II, Tax Map & Parcel 3-31-5.20-5.00, is seeking a sketch/preliminary site plan review for proposed site and building improvements to the existing Chandler Heights II, and the addition of one new building with four

units with parking. Mr. Littleton, Building Official stated this is for a Sketch/Preliminary site plan review for the addition of a 2-story building with four dwelling units and site improvements. The property is located adjacent to Chandler Street & identified as Tax Map and Parcel 3-31-5.20-5.00. The zoning is R-3; and the lot size is 1.982 ac±. The project complies with the area and bulk requirements for the district. The site currently has 3 buildings with 24 units and a community building and the community building will be expanded. Mr. Littleton added that privacy fencing will remain adjacent to the neighboring single family homes and decorative picket fencing will be installed along the other 3 sides of the property. Existing parking spaces will be reconfigured to the Code's current minimum size of 9'X18', this will allow all 28 units to comply with the current requirement of 2 spaces/dwelling unit for a total of 56 spaces. All buildings will be fully sprinklered. New landscaping will be provided along with new playground to be installed. The project will require approvals from: Office of the State Fire Marshal – Site and building, Sussex Conservation District-Storm Water Management Plan and DHSS- Office of Drinking water-Water main extension.

Mayor Genshaw closed the public hearing at 7:18 p.m. and reopened the Regular Meeting.

Building Official Littleton presented the findings of the facts for Nanticoke Memorial Hospital, Inc., final site plan review for Mears Campus.

- Final site plan review for a 2-story building addition with approximately 35,750 sq. ft. +/- of new floor area
- The property is located at 200-300 Rawlins Drive & is identified as Tax Map and Parcel 3-31-5.00-13.01;
- Zoning is R-4;
- The project complies with the area and bulk requirements for the district;
- The project received approvals from:
Office of the State Fire Marshal – Site Plan
DelDOT –Letter of No Objection for the Storm Water
DHSS, Office of Drinking water – new 8" water service
Sussex Conservation District

Planning and Zoning recommended approval to Council.

Mayor Genshaw asked if there were any questions from Council, there were none. Mayor Genshaw then proceeded to ask if there were any questions or comments from the public, there were none. Councilwoman Phillips-Lowe motioned to approve the presentation for the final site plan approval for a two-story 37,000± sq. ft. addition of medical office space and site improvements for the Mears Campus. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw called for a Roll Call Vote:

- Councilman Henderson voted yes based on findings of facts;
- Councilwoman Phillips-Lowe voted yes based on findings of facts;
- Councilman Mulvaney voted yes based on findings of facts;

Councilman Holland voted yes based on findings of facts;
Councilwoman Peterson voted yes based on findings of facts;

Mayor Genshaw confirmed it passed with all voting in favor.

Building Official Josh Littleton presented the finding of the facts for Better Homes of Seaford Preliminary/Sketch Plan approval for Chandler Heights II:

- Sketch/Preliminary site plan review for the addition of a 2-story building with four dwelling units and site improvements
- The property is located adjacent to Chandler Street & identified as Tax Map and Parcel 3-31-5.20-5.00;
- Zoning is R-3;
- Lot size is 1.982 ac±;
- The project complies with the area and bulk requirements for the district;
- The site currently has 3 buildings with 24 units and a community building;
- The community building will be expanded;
- Privacy fencing will remain adjacent to the neighboring single family homes;
- Decorative picket fencing will be installed along the other 3 sides of the property.
- Existing parking spaces will be reconfigured to the Code's current minimum size of 9'X18'; this will allow all 28 units to comply with the current requirement of 2 spaces/dwelling unit for a total of 56 spaces.
- All buildings will be fully sprinklered;
- New landscaping will be provided;
- New playground to be installed.
- The project will require approvals from:
 - Office of the State Fire Marshal- Site and building
 - Conservation District -Storm Water Management Plan
 - DHSS- Office of Drinking water- Water main extension

Mayor Genshaw asked if there were any questions from Council, there were none. Mayor Genshaw then proceeded to ask if there were any questions or comments from the public, there were none. Councilman Henderson motioned to approve the presentation for the preliminary site plan review for the proposed site and building improvements to the existing Chandler Heights II, and the addition of one new building with four units with parking. Councilman Mulvaney seconded the motion.

Mayor Genshaw called for a Roll Call Vote:

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

Mayor Genshaw confirmed it passed with all voting in favor.

Mayor Genshaw presented New Business # 1, the request for developing a Branding for the City of Seaford and a Conceptual Vision Plan. City Manager, Dolores Slatcher, reported that Diane Laird, DEDO was present advising DEDO has funds to support the Branding initiative. The estimated cost of the project is \$10,000 with the City of Seaford to provide \$1,000 of that towards the Branding implementation for the community. This process includes a charrette involving community input. The second program would be funded through the USDA, and is a pilot project, which is the first to be done in the State of Delaware, is the Conceptual Visual Plan. This process would include an Urban Designer, Landscaper, Marketer, Architect, and Mr. Muldrow. The process would take 4-6 weeks on the front and 4-6 weeks afterwards to finalize. The estimated cost is \$24,000-\$30,000 with the USDA paying 75-80% and the City responsible for the remainder.

Councilwoman Phillips-Lowe motioned to approve entering into an agreement with the Delaware Development Office to have their consultant work with the City of Seaford to create a Branding that fits our community and allows the community to participate. The City of Seaford will need to provide \$1,000 to authorize the branding with DDO providing the remaining funds, which will cost an estimated \$8,000-\$10,000 total. Councilwoman Peterson seconded the motion; motion so passed with all voting in favor.

Councilman Holland motioned to authorize the second part of the request for developing the Branding for the City of Seaford which includes the Economic Development Committee to work with the Delaware Development Office to create a Conceptual Visual Plan agreement with shared cost which will be reported back to the City Council. Councilwoman Peterson seconded the motion. Motion so passed with all voting in favor.

Mayor Genshaw presented New Business #2, Citizens request for a Police Civilian Review Board. Mayor Genshaw reminded Council that in their packets was information outlining the processes in place already with the Police Department which the City of Seaford is responsible to respond as the governing body. The memorandum to Council also included a copy of the Officers Bill of Rights that may limit anyone other than the impartial board of officers as stated in Section 9205 Hearing - Procedure for Police officers. There is also the internal investigative process with recommendation to the Chief of Police, the appeal process for an officer to request a hearing before the City Council under our personnel rules. Second, the elected official is the source for the public to share their concerns with regarding any employee's actions and they can see that management takes the appropriate due process to take action/ correct the situation. Third, the Attorney General's office can be contacted on behalf of a citizen's complaint.

Councilwoman Phillips-Lowe motioned to not create a Civilian Review Board for the Police Department due to the duplication of processes governed by the laws of the State of Delaware and City's Charter that the City Council oversees all department personnel, policies and procedures. Councilman Mulvaney seconded the motion. Motion so passed with all voting in favor.

Mayor Genshaw presented New Business #3, a proposal from George, Miles & Buhr for the survey and design of a new ADA-compliant concrete sidewalk from Market Street to Family Dollar along the south side of Stein Highway across from the Middle School, new to Odd Fellows Cemetery.

Work will include the surveying and base drawing that shows existing roadway, curb, driveways, fences, poles, property lines and other pertinent items. Easements that will be needed for construction will also need to be identified, as well as the design of the new sidewalk including ramps at driveways, tie-ins to existing driveways, and sidewalks and grade tie-ins along the back of sidewalk. Accommodations for drainage to existing storm drains systems or through the use of porous concrete will also be designed. Preparation of a plan, cross section and details to be issued for competitive bidding and construction, in which excludes permit acquisition and bidding (by the City). The estimated fee will include the survey and base map for \$975, and the design and construction plan in the amount of \$5,975 for a total of \$6,950.00.

Councilman Henderson motioned to approve the engineering proposal for the Stein Highway sidewalk project for the survey and base map being \$975 followed by design and construction plan in the amount of \$5,975 for a total of \$6,950. Councilman Mulvaney seconded the motion. Motion so passed with all voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- DSA Halloween parade, downtown Seaford, October 29th, 6pm until 9pm
- Trick or Treat for Halloween, October 31st, 6pm until 8pm for youth 12 and under
- State Election Board will use Council Chambers for Election day on November 4th from 7am until 8pm
- SCAT dinner meeting, Bear Trap Dunes, November 5th at 6pm
- Veterans Day ceremony, Kiwanis Park, November 11th at 11am

COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that the Police department personnel has finished with the fall firearm qualifications, both sworn and non-sworn personnel have completed their CPR and ADD certification. The police department is prepared with extra patrol for the Halloween parade and for Trick or Treat night, and also helping with Georgetown Police department with Return Day patrols on November 6th. The Fire Department had four divers go to Pennsylvania for additional dive training, and have almost completed the prevention education for the schools and daycares. The committee for the new tanker truck will be traveling to Wisconsin for a final review and once finalized the truck will begin to be built and should arrive in the spring of 2015, and as of now there are two parties interested in the old 87-9 engine tanker truck. So far there has been a reported 520 fire alarms and 2,650 EMS calls.

Councilman Mulvaney reported that City Manager Dolores Slatcher, Assistant City Manager Charles Anderson, and Director of Finance June Merritt, all attended the DEMEC training, meeting with the Wilmington Trust representatives. They also attended the Economic Development update that was hosted by Fulton Bank. Director of Finance, June Merritt, has been reviewing the crossing-guard agreement and job description, and obtaining the signatures on the loan for the new digger truck. She has also been working with the auditors on GASB, while customer service, payroll benefits and financial management has been routine. Assistant City Manager Charles

Anderson, attended the pre-bid meeting for the new Police Department generator, processed minutes on the addendum, reviewed water consumption report and attended the community Branding meeting. Also, reviewed potential changes to the Flood Ordinance with City Manager, Dolores Slatcher, and Josh Littleton. The development for the bid document for the Stein Highway pole line project has begun for the sidewalk and parking lot repairs. The City Manager attended the Comcast New Government Affairs meeting, as well as the Downtown Development District meeting that took place in Georgetown, and participated in the loan signing of the new digger truck.

Councilman Holland reported that the Parks and Recreation department has hired Parks Tech I, Ronald Ramos. Parks and Recreation department attended the Trunk and Treat event at the local Boys and Girls club and have also been working on installing the rain barrel donated by the Nanticoke River Arts Council. Fall sports are coming to an end, including the softball play-offs. Cleaning and repainting of the dug outs and press boxes has begun and the soccer fields have been seeded. The department has been working with the Seaford High School to recruit interns to assist with programs.

Councilman Henderson reported that Mrs. Newcomer attended a public workshop and completed work with the Downtown Development District Grant application, the City was the first municipality in the state to submit. She also attended the first planning meeting for the "Live for Chocolate" 2015 event, and has been working with Dell on the 2015 fiscal year PC orders. In the Public Works department, the leaf pick-up with the leaf machine truck has started and compost sales have been steady. Four lift stations are currently operating on one pump due to various issues, but parts have been ordered to get those lift stations repaired and Chris Johnson, newest employee to the Public Works department attended DelDot's Snow Plow Simulator training. Plant operators met with George Miles & Buhr at the compost site for an under drain manifold replacement design. The Code Department received comments on the City's current flood hazard ordinance revisions, they have also been comparing the City's charter with the State of Delaware's on-line version to determine any errors, and have sent out 17 code related violation letters and four building permits.

Councilwoman Peterson reported that Electrical Engineer Rick Garner attended the DEMEC board meeting along with the pre-bid generator meeting for the police department. Bill Bennett, Superintendent of Electric, reported that on October 13th, a pole went down on the corner of Atlanta Road and the Nylon Shopping Center, they stayed there until 11:00pm Monday night and came back Tuesday morning to finish. The Electric Department has also been checking street lights for any bulbs that need to be replaced and have made a list for the ones they need to come back to fix as well as checking the Christmas lights to see if they are working and can soon be hung.

With no further comments, Mayor Genshaw called for a motion to close the Regular Meeting of Mayor and Council. Councilman Henderson made the motion to close the Regular Meeting of Mayor and Council. Councilwoman Peterson seconded the motion and the motion so passed, with all present voting in favor. Mayor Genshaw closed the Regular Meeting at 7:41 pm.

Dolores J. Slatcher, City Manager

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