

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

November 14, 2017

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. City Manager, Dolores Slatcher, Assistant City Manager, Charles Anderson, Director of Electric, Bill Bennett Chief of Police, Gary Flood, Director of HR & Finance, June Merritt, James A. Fuqua, Jr., City Solicitor and IT & ED Manager, Trisha Newcomer were also present.

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

Mayor Genshaw solicited any changes to the agenda. City Manager Slatcher stated that it has been asked to move New Business #3 to be discussed first and there was a name change for New Business #1, they are now Conduent rather than Buck Consultants.

Mayor Genshaw called for a motion to approve the minutes of the regular Council Meeting on October 24, 2017. Councilman Holland made a motion to approve the minutes of the October 24, 2017 Council Meeting. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

NEW BUSINESS

Mayor Genshaw presented New Business #3, Present for a first reading an ordinance to amend CHAPTER 15 – of the Municipal Code of Seaford, Delaware relating to “Zoning” to add language to Section 15-50 Uses by Right (12). City Manager Slatcher stated that this would change the uses by right. Handling, distribution or bulk storage of petroleum, natural gas, propane or similar petroleum products, chemicals and chemical products. When properly screened from view by fencing or natural vegetation and incidental to the main use located on the same property.

Mrs. Newcomer, ED/IT Manager came forward stating that there is an interest in the old BASF property located in the Seaford Industrial Park. Carload Express is the interested party and she then introduced Mr. Cliff Grunstra from Carload Express and Mr. Henry Hannah from SVN who were both present tonight. Mr. Grunstra came forward introducing himself along with his company, Carload Express. He stated that they are looking at this property to use as a distribution terminal. They would bring in the product by rail and then break them down into truck size loads so that they could then be distributed. He showed a short presentation of his company of how the operation works.

Mr. Fuqua, City Solicitor came forward stating that propane is a potential product that Carload Express may have on their site. He added that the current zoning for the Seaford Industrial Park is M-1 and this use is not permitted in the M-1 District. In order to be able to have such use at their facility, they could seek a variance from the Board of Adjustment. The Board could grant an area

use variance which is hard to support or since this activity is not permitted in the Seaford Industrial Park have the Council make the decision. He added that he feels that this decision is more appropriate for the Council to decide on rather than the Board of Adjustments. This would create the right to have this type of facility at this location. He added that this is not a primary use but with another operation that they are doing at their facility.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked if any sites limited the bulk storage by capacity. City Solicitor Fuqua stated that this ordinance is not site specific.

This ordinance will come back to the next Council Meeting for a second reading and proposed adoption.

Mayor Genshaw presented New Business #1, Jeffrey Walton and Joseph Griffin with Conduent to present June 30, 2017 General Employee Pension information. Mr. Griffin introduced himself along with Mr. Walton and thanked the Mayor and Council for the opportunity to come to discuss the General Employee Pension information.

Mr. Walton discussed the key terms of the plan that is currently in place for the General Employee Pension. The average monthly compensation is based on base earnings (excluding overtime, bonuses, etc.) averaged over a 3 year period. He added that the accrued benefit formula was based on 50% of average monthly compensation reduced for service less than 25 years plus 2.5% of average monthly compensation for service over 25 years. There is a current vesting service of 10 years in place to receive a 100% vesting percentage. The employees are also required to contribute 5% of their base earnings. The normal retirement age is the later of age 65 or 5th anniversary of date of hire or later of age 62 or 25th anniversary of date of hire.

The participant profile as of July 1st was then shown in comparison to prior years. There are currently 112 total participants. Of those participants there are 41 receiving benefits, 16 terminated vested and 55 earning benefits. In 2016 as of July 1st there were 113 total participants in the plan.

After reviewing the reconciliation of market value of assets as of July 1, 2017, the plan shows a net increase during the year of \$1,118,686. This increase means there is an estimated return on Market Value of Assets for the plan ending June 30th of 10.66%. Mr. Griffin showed charts of how the required contributions have risen over the years and the percentage of payroll is now up to 14.3%. He added that at this time, the plan is a stable plan and it is on the way to being 100% funded. He advised it could be viewed the plan is approximately 65% funded vs. Social Security which a pay as you go benefit. The required percentage that the City recently put into place for the employee contributions have helped the plan. This plan is in a good place for a sustainable plan for the future.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked if questions could be given at a later time if needed as this is a lot of information to take in and review in a short time. Mr. Griffin stated that he is willing to discuss the information and take any questions anytime.

Mayor Genshaw presented New Business #2, Dan Urgo and Shawn McGill with Wilmington Trust Corporation to present status of investments for the General Employee Pension Plans including the personal pension savings by employees who participate. Mr. McGill passed out the information out to the Mayor and Council and then reviewed some highlights of the data. He stated that a growth income approach was used for the plan which had a 6.6% return. He added that the projected return is just 5.4% return which they are always looking for a way to enhance that amount.

Mr. McGill added that these funds are managed to get the most return for the least risk possible; nothing high risk is done by their company. The fund has gone through some really tough times but it has bounced back.

Mr. McGill showed graphs and data of how the plan has done over the years and ensured the Mayor and City Council that it is currently in a good place. When they look to invest the money they looked at everything available including risk expectations and returns. They are always looking at ways to get the most return with the least risk as possible.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked if they would change their strategy in an attempt to get more of a return. Mr. McGill stated that he has benefited from looking at using index funds and looking at portfolio managers.

Mayor Genshaw asked if they had any recommendations on sustaining long term for the plan. Mr. McGill stated to work with someone that is in investor management and to avoid a product pusher. He added to work close with the actuaries. He added that accountability is really what it comes down to and being transparent which the City has done.

Mayor Genshaw presented New Business #4, Mayor Genshaw to appoint Joan Neal to the Economic Development Committee.

Mayor Genshaw solicited any questions or comments from Council. Councilwoman Phillips-Lowe asked if she would be replacing anyone. Mayor Genshaw stated that she would not; there has not been a public representative on the committee in the past so it was decided to add one.

With no further questions or comments, Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve Mayor Genshaw's appointment of Joan Neal to the Economic Development Committee. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #4, Present letter on behalf of Proximity Malt to accept 44,500 gpd hauled wastewater with right to terminate. City Manager Slatcher stated that an inquiry was made by Proximity Malt about our Wastewater Treatment Plant's hydraulic capacity. The letter written to them is confirming that Seaford has the hydraulic capacity at our Wastewater Treatment Facility to accept forty-four thousand five hundred (44,500) gallons a day of hauled wastewater from the Proximity Malt facility in Laurel, Delaware. There will be an agreement set forth at a later date describing the terms and conditions that apply. In the letter Seaford will have the right to

terminate at any time should the need arise based on plant performance. It was added that they are not ready yet to handle the capacity onsite so they are looking for options. They have also reached out to some other Wastewater Treatment Facilities. If they would like to use our facility then an agreement would be written and executed.

Mayor Genshaw solicited any questions or comments from Council. Councilman Mulvaney stated that he spoke to Mr. Tiff about this and he mentioned that he did this estimate on the conservative side.

Mayor Genshaw then called for a motion. Councilman Mulvaney made a motion to authorize the City Manager to execute the letter of intent for Proximity Malt to haul 44,500 gpd of waste to the WWTF, as presented. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

OLD BUSINESS

Mayor Genshaw presented Old Business #1, Present for the second reading and adoption 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. City Manager Slatcher stated that this is the second reading of the ordinance to be adopted.

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

Mayor Genshaw then called for a motion. Councilman Holland made a motion to adopt and amend Chapter 18 - Realty Transfer Tax; Article 1 - General Provision; Section 18.1.7; rate of tax; when payable, exception (D) of the Municipal Code of Seaford, Delaware. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- City Offices and Utilities closed for the Thanksgiving Holiday on Thursday & Friday – November 23rd and 24th
- Caroling in the Park, Gateway Park, Monday, November 27th; Band at 6:45 p.m. with the program starting at 7:00 p.m.
- Christmas Parade, "Season of Lights" to be held on Saturday, December 2nd with step-off at 7 p.m. Rain Date is Sunday, December 3rd with step-off at 7 p.m.
- SCAT dinner meeting, Victoria's; Rehoboth Beach, Wednesday, December 6th at 6 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 fall firearms re-certifications and first aid re-certifications have been completed for the Police Department. CID handled 10 criminal drug-related arrests along with the arrest of two (2) sex offender compliance subjects; both were committed to the Department of Corrections. The SP department handled both the Halloween parade and the Homecoming parade with no issues.

CID continues to work on investigations. On November 1, 2017 Seaford Officers, CID, the Dover PD Safe Streets Crime Unit along with Probation and Parole conducted three search warrants. Arrested were five (5) subjects on 23 various drug related charges; two of the subjects had outstanding warrants. As a result of the search and arrest, approximately six (6) grams of crack cocaine, six (6) grams of power cocaine, 19.8 grams of marijuana, nine (9) bags of heroin and 227 ecstasy pills were recovered.

911 stats for the month of October included:

911 Calls: 165
Cell Calls: 520
Administrative Calls: 2,458
VIOP Calls: 92

Calls for service for the month of October included:

Police: 1,241
Fire: 56
EMS: 276

On November 2nd, A Squad handled a property damage incident; during the investigation they were able to recover 28 grams of marijuana. Driver was arrested for same along with several traffic violations.

On November 3rd, C Squad Officers attempted to stop a subject in the Pine Street area. The subject fled from officers who apprehended the subject, ultimately recovering a fully loaded 380 caliber semi-automatic pistol.

Lt. Bohn attended the annual three-day Office of Highway Conference held in Dover, DE. Last week on November 8th, C Squad recovered 4.8 lbs. of marijuana at the Fed Ex location; investigation continues. Patrolman Jon James and Patrolman Rene McKinnon attended the Fraud Investigation Techniques class on November 9th at the Delaware State Police Training Academy. Police Applicant testing was held on November 11th. Four (4) applicants were tested with one (1) completing both the written and the physical agility portion.

A Squad last week recovered 20.2 grams of marijuana, 39 bags of heroin, two (2) grams of crack cocaine along with three (3) suboxone strips.

Community Policing for the month included: On October 31st, Patrolman Tyler Justice participated in Trick or Treating night passing out candy from his patrol vehicle. Also two Seaford Officers were assigned to foot patrol on High Street. SPD has now instituted two additional foot patrol officers on Friday or Saturday night in the High Street area which is over and above the shift allocation. This will continue through the holiday season and will be changing to include shopping centers after Thanksgiving.

Officers are continuing to work special duty at the Meadowbridge apartment area complex several times per month. Sgt. Rapa attended the last Block Watch meeting. Sgt. Horn attended the last Justice in time meeting at the Boys and Girls Club. Det. Chambers attended the Stake Holders meeting on November 6, 2017 to discuss the opioid addiction problems. Sgt. Horn attended the Truck or Treat event at the Boys and Girls Club and passed out candy.

Councilwoman Phillips-Lowe had a monthly fire report for the month of October. During the month of October there were a total number of 56 alarms. Of those alarms, 28 were within the City and 22 alarms were outside the City. SVFD has a successful Fire Prevention Week giving firehouse tours to pre-school, first graders and daycares in the fire territory. SVFD conducted an airbag class on October 4th at Station 87 and structural evolutions at the Sussex Campus of the Delaware State Fire School in Georgetown. SVFD participated in Past President/Life Member Donald D. Tull's Memorial Service.

Councilwoman Phillips-Lowe reported the monthly EMS report for the month of October. During the month of October there were a total of 267 EMS runs. Early November news included Jerry Carter, EMT-B, has tendered his resignation at the ending of November. Applications for the now two EMT-B positions were closed and interviews were conducted. SVFD EMS gave conditional hires to two new employees, Robin Andino from Camden and Josh Joyner from Delmar. Both will start working during the month of November. There were no reported injuries.

Councilman Holland reported that a site visit was done to Millington, MD to observe a final check out of control building for Pine Street Substation prior to delivery on November 7th. Open Gov on-site training was done with a representative.

The Council agenda and presentation was prepared and interviews were held for the Code Inspector position. Progress meeting #1 for the Asset Management program was attended as well as the City Manager's meeting. U of DE IPA conference was attended and Trisha was one of the presenters. Staff attended the Board of Adjustments meeting, Veterans Day ceremony and the Today and Tomorrow conference at DTCC.

In Information Technology, work was completed on MVRS computer, installation was completed for the front counter elevated desk and configuration of software. Corrupt OS was removed and reinstalled and routine service calls were completed.

In Administration, staff attended the modeling customer service in your Leadership Style Workshop at DEMEC. Disconnects were process for non-payment. Utility bills for October consumption were prepared and mailed. Jessica Johnson, a new customer service representative has started and

began training. Working with DEMEC on the Bond Financing for the Distribution and Substation project. Working with Edmunds and Associates to prepare for AMI project and conversion of Finance and Billing Software to version 4.2. All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilwoman Peterson reported on Code and Parks & Recreation. Building Official, Mike Bailey reported that grass violations are wrapped up for the season. Code is doing routine inspections for on-going projects and violations throughout the city. Mike attended the November P&Z meeting and November 15, he will get training on Fire Sprinkler Systems. Shannon is receiving plumber license renewals for 2018 and 275 permits have been issued to date. The Manor House guard house construction has begun this month.

Parks and Recreation Superintendent Katie Hickey reported all irrigation units are being winterized this week. Parks did a complete over-seeding of football fields at the Sports Complex. Recreation will have Basketball and Wrestling sign-ups through November 17. November 9th volunteers from the SHS help clean-up some of the parks. Parks is prepping for the set-up of the Christmas tree at Gateway Park and Caroling in the park on Monday, November 27. Routine grass and trash pick-up was completed.

Councilman Mulvaney reported on Public Works & WWTF. In Public Works, Jerry's Paving completed the Thompson Court job and is scheduled to finish pothole repairs soon. Hydrant flushing has been completed, the leaf machine continues, the curb was painted on Fallon Avenue. A hydrant was replaced in Virginia Crest and several properties were cleaned up for Code. Upcoming job include the immediate repair of a water main break on Harrington Street at the Porter Street intersection, sign replacements and a busy leaf machine with the upcoming Thanksgiving Holiday.

In Wastewater Treatment the plant continues to perform well, leachate treatment remains slow and plenty of compost remains for sale. One blower is out for repair and the loader was sent out to repair a leak in the breaking system.

Councilman Henderson reported on the Electric department. Director of Electric, Bill Bennett continued his regular meetings with AUI (contractor) on site at the Pine Street Substation and the distribution portion of the project. He also completed daily work logs for these projects. Bill coordinated the switching to de-energize Central Substation, and crews performed the switching necessary to de-energize it. This enabled the contractor to safely drill and pour two piers. It also allowed our City electric personnel to set and frame seven poles on Cedar Ave for circuit 270. Upon completion of this work our personnel did switching to re-energize Central Substation.

Bill coordinated the switching to de-energize Pine Street Substation, and crews performed the switching necessary to de-energize it. This enabled the contractor to safely drill and pour the final four piers. All major concrete structures are now complete. The remaining amount of concrete is for the protection of duct bank and miscellaneous structures. Upon completion of this work our personnel did switching to re-energize the facility.

The director went to Millington, MD to AZZ Corporation, the manufacturer, to witness the testing of the control house. He was present during the delivery and setting of the new control house at the project site.

Blake Chaffinch continued his work updating the SCADA system. This will accommodate the simultaneous operation of new substation while the old Pine Street substation stays on line in reserve.

Personnel installed the RF system for the AMI project, and they installed the test meters. Crews read meters, performed re-reads, and they performed disconnects for nonpayment. They checked the bulbs and wiring on the Christmas lights, and they began installing the Christmas lights. Our personnel also set two poles which completes our work at the Perdue expansion project. There were two outages on circuits 280 and 290 at approximately 2:00 a.m. on 10-24-17 due to two trees falling over in the storm.

Mayor Genshaw added that the Turkey Drive is currently going on at Food Lion until this Thursday.

With no further comments, Mayor Genshaw called for a motion to adjourn the Regular Meeting of Mayor and Council to move into an Executive Session at 8:20 p.m. Councilman Henderson made a motion to adjourn the Regular Meeting of Mayor and Council and move into an Executive Session. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw reopened the Regular Council Meeting at 9:22 p.m. Mayor Genshaw called for a motion to adjourn the Regular Meeting of Mayor and Council. Councilman Mulvaney made a motion to adjourn the Regular Council Meeting. Councilman Henderson seconded the motion; Councilman Holland, Councilman Henderson, Councilman Mulvaney and Councilwoman Phillips-Lowe voted in favor and Councilwoman Peterson opposed the motion. The meeting was then closed at 9:22 p.m.

Dolores J. Slatcher, City Manager

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