

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

November 24, 2020

7:00 P.M.

Mayor David Genshaw called the Regular Meeting to order at 7:00 p.m. with the following present: Councilman Dan Henderson, Councilman Matt MacCoy, Councilman Orlando Holland, Councilman Jose Santos, and Councilman James King. City Manager, Charles Anderson, Director of Economic Development and Community Relations, Trisha Newcomer and Building Official, Mike Bailey 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; there were none.

Mayor Genshaw called for a motion to approve the minutes of the Regular Meeting on November 10, 2020. Councilman King made a motion to approve the minutes of the Regular Meeting on November 10, 2020. Councilman MacCoy seconded the motion. The motion so passed with all present voting in favor.

Mr. Robert Lynch who was recently hired as the Code Inspector in the Code Department was then introduced.

Mayor Genshaw asked if there was any correspondence; there was none.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

- City of Seaford offices will be closed on November 26 and 27 in observance of the Thanksgiving Holiday.
- Tree Lighting at Gateway Park, Monday November 30, 2020 at 7:00 p.m.; Rain Date December 4th at 7:00
- Seaford "Reverse" Christmas Parade on December 5th has been cancelled.
- Employee Christmas Party on December 11th has been cancelled.
- The Leaf Machine is currently in operation until 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.

Councilman Holland reported on Code, Parks and Recreation:

Code Department Report

- Issuing permits (373 Issued in 2020)
- Rental License renewal notices mailed out.
- Doing routine inspections for on-going projects
- Doing violation inspections throughout City
- Performing plan reviews for new permits
- Plumbing License renewals are being processed

- Trash Hauler license renewals are being processed.

Large project status's

- Wawa – Tharp Rd DelDot work underway. Site work for Wawa started.
- Melanies Ridge –Deldot work completed
- Mearfield 2 –Second duplex has been set. Have applied for permit for 4 pack townhouses.
- Montessori School – School is open. Both new quad buildings completed.
- East Park Business Center – First building has started construction.

Accomplished week of 11/9

Parks – Blew out irrigation at Riverwalk, High St, City Hall, Police Station, & Soroptimist Park Sign
Parks – Removed flowers and cleaned out flower pots planted by the Spade & Trowel Club
Parks – Replaced split rail fence post at Hooper's Landing & made a repair at the Jay's Nest
Parks – Prep softball fields for Fall league & tournament *championships pushed due to rain
Rec. – Worked on putting together a recreation-based survey for the community
Parks&Rec. – Ordered new sweatshirts for the Parks Dept. and jacket for Tina for Winter
Parks&Rec. – Created a fillable PDF version of our Special Event Permit for the website
Parks&Rec. – Attended Veteran's Day Ceremony at the Seaford VFW
Parks&Rec. – Coordinated with Electric & Public Works Depts. putting up the Gateway Christmas Tree

Accomplished week of 11/16

Parks – Completed regular grass cutting & trimmings
Parks – Completed edging around Hooper's Landing & Sports Complex
Parks – Had MUSCO lighting come out to fix football field outage and two bulbs on Softball Field #1
Parks – Prep softball fields for Fall league championships

Rec. – Held Men’s Slow Pitch Softball Championships on 11/17 (PES Electrical Contractors took 1 st and E.C.E. took 1 st in our “B” division)
Rec. – Completed Community Survey for review (21 questions in total)
Parks&Rec. – Researched new hats to provide to the Parks Dept. employees
Parks&Rec. – Re-submitted covid plans for Tree Lighting Ceremony in Gateway Park to DHSS due to new Delaware restrictions (*has been approved*)
Parks&Rec. – Attended the Supervisory Training Academy Ceremony through Wilmington University (received certificate of completion)
Parks&Rec. – Assisted in prepping & placing the Gateway Christmas tree up at Gateway Park

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

Public Hearing Item #1: AUJ Power is seeking a Final Site Plan review for the construction of a 29,400 sq. ft. commercial building with Stormwater Management to be located on Nesbitt Drive, Tax Map and Parcel # 531-10.00-236.18.

Building Official Mike Bailey came forward and explained the proposed project is located on Nesbitt Drive, Tax Map and Parcel #531-10.00-236.18. Mr. Bailey stated that the engineer, Eric from McCrone Inc., was present representing the project. The zoning for the property is M-1 Light Industrial. He added this is a final site plan review for a proposed 29,400 square foot building with associated parking and site improvements. The building will also have offices and warehouse space with 57 paved parking spaces provided. They will be modifying and expanding existing storm water on site. There will also be a fenced in material storage yard on site as well. They have submitted for approvals from the State Fire Marshal, Sussex Conservation and the City Engineer. Mr. Bailey then showed an aerial view of the property.

Mayor Genshaw solicited and questions from Council. Councilman Henderson asked if there were any changes from the preliminary plan? Mr. Bailey stated that there are very few that are minor changes.

With no additional questions from the Council; Mayor Genshaw solicited any questions or comments from the Public; there were none.

Mayor Genshaw closed the Public Hearing and re-opened the Regular Meeting at 7:06 p.m.

Building Official, Mike Bailey, presented the Findings of Facts for Public Hearing Item #1.

Findings of Facts:

- Project: AUI Power Final Site Plan Review
- Owners: AUI Power
- Property Location – Nesbit Dr
- Tax Map & Parcel 531-10.00-236.18
- Zoning: M1 Light Industrial
- Parking spaces provided: 57
- 29,400 sq.ft. building with offices and warehouse space.
- Onsite stormwater management to be modified and expanded
- Project requires approval from:
 - Sussex Conservation District
 - Office of the State Fire Marshal
 - City Engineer for Storm Water

Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the request of AUI Power for a final site plan approval for the construction of a 29,400 square foot commercial building with Stormwater Management to be located on Nesbitt Drive, Tax Map and Parcel # 531-10.00-236.18 as presented. Councilman Henderson seconded the motion.

Mayor Genshaw solicited any questions on the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes, based on the findings of facts;
Councilman Henderson voted yes, based on the findings of facts;
Councilman Holland voted yes, based on the findings of facts;
Councilman MacCoy voted yes, based on the findings of facts;
Councilman King voted yes, based on the findings of facts.

The motion so passed.

Mayor Genshaw asked if it was known how many jobs this would create? City Manager Anderson stated that he believed in previous conversations with them, they estimated about 30 jobs. Mrs. Newcomer added that it would increase over time; possibly not all created at one time.

Mayor Genshaw presented New Business Item #1: Present for consideration a recommendation from the Economic Development Committee for a potential fee reduction and tax abatement request from Liborio Seaford LLC development (SCTM# 331-5.00-11.00 & 331-5.00-11.01) known as Melanie's Ridge. Mrs. Newcomer, Director of Economic Development and Community Relations came forward to present the information. Mrs. Newcomer stated that Mr. Lou Ramunno, the developer for the property was present tonight and also attended the Economic Development Committee meeting. On Friday, November 13, 2020 the Economic Development Committee met to review the request from Liborio Seaford LLC for consideration of a potential 75% reduction of all

fees and tax abatement for SCTM # 331-5.00-11.00 & 331-5.00-11.01, the project known as Melanie's Ridge.

During the Economic Development Committee meeting, the developer, Mr. Lou Ramunno, reviewed his approved project with the committee. He explained his plan, which has received final approval, to construct 280 market rate apartments on the approximately 50 +/- acres on the west side of Bridgeville Highway. Mr. Ramunno shared that he has experienced an increase in lumber and other material costs due to the pandemic, production cuts, wildfires, demand surges, etc. which has put an extra strain on his project. He has also found that securing subcontractors has been difficult, as they chose to work on the east side of the county since those jobs tend to pay more money.

The committee discussed several different options and the request at great length. Currently, based on a fee estimate of the entire project, a 75% fee reduction would be approximately \$1,511,431.50, which the committee was not in favor of. The committee also felt strongly about the City incentivizing single family homeownership rather than multifamily. The committee felt that relief on the water and sewer tap fees for phase 1 would be sufficient, with no tax abatement. Phase 1 consists of 7 buildings, with 8 units each. Mrs. Newcomer explained that based on the fee estimate for a single building, the value of the waiver would be approximately \$99,400.00. The committee also felt that a deadline for completion should be consideration to ensure the project moves forward.

The Economic Development Committee is recommending to grant a waiver, for Liborio Seaford, LLC (SCTM# 331-5.00-11.00 & 331-5.00-11.01) known as Melanie's Ridge, of the water and sewer tap fees for Phase 1 only, with construction to be completed within two years of issuance of the building permit.

Mayor Genshaw asked for any questions or comments from Council. Councilman King asked when an investor or developer would have a conversation with the City if they have a request? Mrs. Newcomer stated that the request can be submitted at any time. Councilman Henderson stated that as a member of the committee, the Economic Development Committee has recommended to this body for previous developments for an incentive similar to the one being recommended tonight. He added that the water and sewer tap fee reduction is a program that is already in place.

With no other questions, Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve the recommendation from the Economic Development Committee to provide 56 water and sewer tap fee waivers to Liborio Seaford LLC development (SCTM# 331-5.00-11.00 & 331-5.00-11.01) for Phase 1 only of the Melanie's Ridge development, the fee reduction will sunset in two years from the date of building permit issuance. Councilman Holland seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;

Councilman MacCoy voted yes;
Councilman King voted yes;

The motion so passed.

Mayor Genshaw presented New Business Item # 2: Present for approval Municipal Charter changes related to City Elections and voter registration. City Clerk, Tracy Torbert came forward to present the information. Ms. Torbert stated that it was recently approved to move to the State of Delaware Voter Registration System for the Municipal Election which requires a Charter Change. She added with that, there were a few other clean up items that were done to be included in this Charter Change.

The first proposed change to the City Charter, would be to amend Section 6(c) to remove the option of allowing notification to the public of candidates for Mayor and City Council by posting the names of such candidates in at least (5) public places in the City rather than having this information published in a newspaper of local and/or general circulation. Ms. Torbert stated that it has typically been done by advertising the information in the local newspaper as that seems the best way to get the information out to our residents.

The next proposed change to the City Charter, would be to amend Section 7(B) to incorporate the State Voter Registration System to be effective for the 2022 Municipal Election and to continue utilizing the "Book of Registered Voters" only for non-resident property owners.

Another proposed change to the City Charter, is to amend Section 7(D) to conform the titles of the City's election officials to the titles used in Chapter 75 of Title 15 of the Delaware Code entitled "Municipal Elections". Ms. Torbert added that this was a recommendation that came from the Board of Elections.

The next proposed change is to amend Section 8 to correct the month during which the elected officials are sworn in and the Vice Mayor is elected. Ms. Torbert stated that when the election date was previously changed, this information was not updated to reflect the change of the election date.

The last proposed change is to amend Section 15 to remove the reference to a specific meeting during which appointments of non-elected City officials and staff are made. Ms. Torbert stated that this would include positions such as the Auditors, City Engineer, City Solicitor, Tax Assessor, etc. She added that this is done on an as-needed basis. For instance, the City Engineer was just recently appointed due to a retirement.

Mayor Genshaw solicited and questions or comments from Council; there were none. He then called for a motion.

Councilman Santos made a motion to approve the City of Seaford Municipal Charter changes related to City elections, voter registration and appointments of non-elected City officials and staff as presented. Councilman King seconded the motion.

Mayor Genshaw solicited any questions to the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

Mayor Genshaw presented New Business Item #3: Present for approval an agreement for the establishment of a coalition for cooperation on Stormwater Management and Municipal Separate Storm Sewer Systems (MS4) compliance. City Manager Anderson stated that Mr. Ben Hearn was present from GMB; he drafted this agreement. The City has been working with DNREC and we are required by law to enter into a permit for our Municipal Separate Storm Sewer System. The permit will be good for five years upon issuance.

City Manager Anderson stated that due to growth and population size, we are now faced with these requirements. There have been conversations with the Town of Laurel and the Sussex County Conversation District and it was felt the best course of action was to develop a coalition. If a coalition were to develop, costs can be shared among the group. As a group, it is felt that our voice will be better heard by state and local agencies.

The draft agreement lays out the coalition and what will be done. The agreement states that Sussex County Conversation District will be the lead agency. The agreement also states that costs will be shared based on population; based on Census information and square miles in the community. With that information, about 65% of the costs are the City of Seaford's portion; the remaining would be the Town of Laurel. City Manager Anderson stated that should other sister communities chose to join the coalition; they could do that.

It was asked that the Conservation District to do some budgetary estimates for City Council's information. These items include a Notice of Intent and Development of Storm Water Management Plan which is estimated at \$21,600, Public Education Program – MCM1 estimated at \$25,050, Public Participation – MCM2 estimated at \$5,850, Illicit Discharge, Detection and Elimination Program estimated with a TBD estimated fee, Construction and Post Construction Activities – MCM4 & MCM5 estimated at \$6,100 and Pollution Prevention & Good Housekeeping estimated at \$31,500. The total estimated amount is \$91,100; if the City is responsible for 65%, it would be approximately \$19,522 per year that we would be responsible for. City Manager Anderson stated that there has been \$40,000 budgeted in FY21 and we would keep budgeting for these costs going forward.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson had a question under the illicit discharge, detection and elimination program. Councilman Henderson asked if this was a limited common element; if the illicit discharge occurs in one jurisdiction; would the cost be shared or solely on where the discharge occurred. City Manager Anderson stated that in the event of an illicit discharge, the Conservation District will help the community as needed. City Manager Anderson explained that a hotline has to be established so that people in the public can report these problems. If a complaint is received by us, the Code Department will then work to resolve the issue. Councilman Henderson stated that his concern is the financial aspect if an issue were to occur. City Manager Anderson explained that this is a new program so we will increase our budget as necessary if needed. Mayor Genshaw stated that the coalition will not absorb that cost; the town or individual responsible will absorb that cost.

With no other questions or comments, Mayor Genshaw called for a motion. Councilman King made a motion to approve the agreement for the establishment of a coalition for cooperation on Stormwater Management and Municipal Separate Storm Sewer Systems (MS4) compliance with year one funding provided by budgeted Professional Fees in the FY21 Sewer Collector budget as presented. Councilman Holland seconded the motion.

Mayor Genshaw solicited any questions to the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

Mayor Genshaw presented New Business Item #4: Present for a first reading Ordinance #2020-04 to amend Chapter 4, of the Municipal Code of Seaford, Delaware relating to "Buildings", in the manner following, to wit: Chapter 4, Article 1, of the Municipal Code of Seaford, Delaware to amend §1612.4 and §R322.2.1. Mr. Bailey came forward to present the information. Mr. Bailey stated that he was contacted by the Community Rating System program that we participate in for flood insurance. He added that we maintain a certain rating to allow our residents that have flood insurance a discount. They are proposing a change to their requirements; we had some language in the Code but there is additional information that needs to be added. The new language is to include electrical systems, equipment components; heating, ventilating, air-conditioning; plumbing appliances and plumbing fixtures; duct systems, and other service equipment. Mr. Bailey stated that the new language is stating that any utility has to be eighteen inches above the Base Flood Elevation, i. Mayor Genshaw stated that this a first reading of the ordinance; it will come back to the next meeting for approval.

OLD BUSINESS:

None

COMMITTEE REPORTS

Councilman Santos reported on Administration and IT:

MEETINGS:

- ✓ Attended a Christmas party meeting – dinner canceled.
- ✓ Attended the County Council meeting to present the Western Sussex Business Park concept plans.
- ✓ Attended the Economic Development Committee meeting.
- ✓ Attended several Unified Sewer District progress meetings.
- ✓ Met with the representatives of Enterprise Fleet management regarding the City leasing plans for FY22 and beyond.
- ✓ Attended the Construction Coordination meeting.
- ✓ Met with Matt MacCoy and Craig Dimes regarding the Little League 65th celebration planning.

OTHER WORK:

- ✓ Prepared the City Council agenda.
- ✓ Met with property owner and Bill Bennett regarding easement request for Bridgeville Highway electric installation.
- ✓ Attended the Veterans Day celebration.
- ✓ Participated in the Traffic Impact Study pre-submittal meeting with the DOT for Ross Business Park.
- ✓ Conference call with Bill Bennett and Scott Lynch of DEMEC to discuss potential utility scale battery storage options for Pine Street substation.

Information Technology Report:

- Continue to work on VDI deployment. All virtual desktops installed.
- Working on slim client configuration for deployment. We are migrating users to slim clients, versus full CPUs, as part of the VDI project. They rely on the server to do most of the work, while they serve merely to deliver input and output back and forth for the user.
- Work with Telewire to install intercom phone in the lobby at the Police Department.
- Obtain quotes regarding podium relocation in the Council Chambers.

Administration Report for Council

- Continue contract negotiation with the police department Teamsters Local 326
 - Current contract expired 06/30/2020.
 - Next meeting not yet scheduled.

- Finalizing the City's annual audit
 - Auditor's are continuing final fieldwork – reviewing account reconciliations and workpapers.
 - Preparing the draft financial statements.
- Attend DEMEC board meeting.
- All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilman MacCoy reported on Electric.

Since the last report

Crew

Installed the mounting brackets and timers for the new LED Christmas lights.

Finished building the storage racks for the LED Christmas lights.

Greg Smart retired.

Finished installing the Christmas lights.

Put the flags up for Veterans Day.

Changed out gloves and sleeves to be tested.

Set a transformer and started digging in the secondary pedestal for the last of the 9 new houses on Poplar St.

Started taking vehicles through inspection.

Did monthly substation checks.

Put up the Christmas lights on High Street.

Had an outage on S Porter St caused by a squirrel. It affected 5 customers from 2:36 AM until 5:26 AM.

Put up the Christmas lights for Blades.

Pulled a stand and moved it for WWTF.

Helped put up the Christmas Tree and display in Gateway Park.

Trimmed trees on No Name Road.

Director

Had a council liaison meeting.

Had a staff meeting.

Had a director's meeting.

Collected Greg Smart's uniforms and issued tools.

Worked on the specifications for transformers and put out an RFP.

Had the monthly construction coordination meeting.

Met with our contractor for the directional drilling at WAWA.

Had a meeting with the contractor who is installing the fiber optic wire extension on Sussex Highway.

Had a meeting with a sales rep for transformers about specification changes on fuses.

Worked on FY 22 budget.

Had a meeting with Tom Coyle and Trisha to introduce the new local contact for the energy efficiency program.

Had a meeting about battery storage.

Helped put up the Christmas Tree and display in Gateway Park.

Took delivery of the new Chipper.

Upcoming Weeks.

Turn on the Christmas Lights

Continue working in Mearfield 2 as they build more units in phase 1.

Continue working in Mearfield 1 phase 2B so they can continue building.

Start working in Belle Ayre multifamily for their construction.

Pull the wire and set the transformer at the AUI building.

Get the estimate and schedule the directional drilling at WAWA.

Continue changing the lights on Sussex Highway to LED.

Finish trimming trees in Williams Pond Park.

Work with the school on the lights in front of Central Elementary school.

Councilman King reported on Public Works & WWTF.

Past two weeks:

Public Works:

- Hydrant flushing is on-going
- All concrete work is complete for the paving contract.
- Multiply property clean ups
- Repaired water main leak on King St.
- Installed new 2 new water services on Poplar St.
- Leaf machine is out.
- Held the Tap project public meeting
- Force main installation for the Unified Sewer District is substantially complete and in use.
- Picking up a lot of limbs and leaves
- We are now two people out on medical.
- Held multiply meetings in person, zoom, and by conference call. Progress meetings for contract #3, #4 and # 6 were held.
- Performed all routine tasks; swept, L & L, big piles, read meters, re-reads, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc.

WWTF & COMPOST

- No new news is good news here
- New blowers have arrived and are starting to install.
- Plant performance remains good
- Preparing to accept wastewater from Bridgeville and Greenwood.
- We HAVE compost to sell by appointment
- Leachate treatment going well but less

- Septage is down.
- No major equipment maintenance needed.

Upcoming two weeks:

Public Works

- Pull and rebuild Manor House lift station pump
- Pull and rebuild Seaford Village lift station pump
- Limbs, limbs, limbs
- Flush hydrants
- Repair cleanouts on smoke testing list.
- Replace fire hydrants (ongoing.)
- Continue all routine tasks.

WWTF & COMPOST

- Keep the plant up and running with no violations
- Perform maintenance as needed
- Screen for compost

Mayor Genshaw called for a motion to adjourn the Regular Council Meeting. Councilman MacCoy made a motion to adjourn the Regular Council Meeting. Councilman Santos seconded the motion; motion so passed with all voting in favor. The Regular Meeting was closed at 7:48 p.m.

Charles D. Anderson, City Manager

/TNT