

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

November 28, 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 and IT & ED Manager, Trisha Newcomer were also present.

Councilman Holland 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 there were no changes.

Mayor Genshaw called for a motion to approve the minutes of the regular Council meeting on November 14th, 2017. Councilman Henderson made a motion to approve the minutes of the November 14th, 2017 Council meeting. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Sara Lee Thomas, President of the Downtown Seaford Association came forward to present information regarding their collection of City Hall replica souvenirs. Mrs. Thomas explained that these items were first created in response to community members requests. However, they are no longer being used by the Downtown Seaford Association. Mrs. Thomas stated that there were approximately 90 pieces remaining and presented them to the City to use at their discretion.

Mayor Genshaw closed the regular Council meeting and opened the Public Hearing portion.

City Manager Slatcher introduced Mr. Brad Whaley, Director of Community Development & Housing. Mr. Whaley came forward to present information regarding the development of an application to the State of Delaware Community Development Block Grant program for the City of Seaford for the upcoming year. Mr. Whaley explained that their office applies for the Community Block Grant programs in cities and towns in Sussex County. This Community Block Grant originates with HUD and the Delaware State Housing Authority. In the Community Development Block Grant funding there is approximately \$2 million which has held steady for the past 10 years. One of the requirements of the Community Development Block Grant Program is that a Public Hearing be held to take any questions or comments in regards to the application or funding process. Mr. Whaley explained that this funding is primarily used for housing repairs. These funds assist low to moderate income residents with housing repairs to keep the housing stock stable. Basic housing repairs include but are not limited to: new furnaces, upgraded electric, insulation and solutions to handicap accessible issues. In addition, the funds have also been used for

infrastructure projects including: sidewalk repair, sewer and water hookups and demolition. In conjunction with the rehab efforts, the Community Development & Housing Department also partners with Habitat for Humanity to help fund the removal of structures so that new homes can be built here in Seaford. As set by the Department of Housing & Urban Development, you must be at the low to moderate income level or 80% of the area median income to qualify for funding. For instance, in Sussex County a single person household must earn under \$35,500 to qualify. This amount goes up approximately \$5,000 for every additional household member. A two-person household would have to earn just under \$40,500 and a four-person household would have to earn under \$50,600 to qualify.

Mr. Whaley went on to explain that in the past 17 years the City of Seaford has received over \$839,000 in funding from this program. During that time period the funding has been able to assist 69 households. In just the last 5 years the City has obtained \$350,000 in funding and helped 27 households. The current projects in Seaford started in July 2017 after receiving \$70,000 in funds. There are 3 houses under contract and with approximately \$40,000 in funds remaining. The department hopes to be able to assist an additional 4 households. A typical home being repaired requires \$15,000 to \$17,000 in funding though amounts may vary based on the circumstances.

Mr. Whaley then opened up the floor to questions.

City Manager Slatcher asked Mr. Whaley to verify for Council that the County does still have a list of Seaford residents who qualify for the program.

Mr. Whaley replied, yes and explained that the active list currently has 23 homes on it with more added frequently.

Councilman Henderson asked if the projects being discussed are awaiting this round of funding or if they are already funded?

Mr. Whaley replied that these projects discussed are already funded, bid out and contracts are signed.

City Manager Slatcher added that the department works by the fiscal year and that the homes in discussion were from the previously awarded funds and that the application process would be for the upcoming awards for the new fiscal year.

Councilman Henderson noted that Mr. Whaley mentioned an income cap and asked how that would work for an organization like Habitat for Humanity.

Mr. Whaley replied that Habitat for Humanity only serves low to moderate income residents. If a resident received funds through this program and works with Habitat for Humanity a lien is always placed on the funds to ensure the home isn't sold after the upgrades are completed. The length of the lien may vary depending on the age of the resident but can last between 5 and 10 years. When

demolition is required the lien is a permanent lien on the funds unless the funding is used to create a permanently affordable home, which is Habitat for Humanity's goal.

Mayor Genshaw solicited any questions from Council or the Public. There were none.

Mayor Genshaw called for the second reading in the public hearing.

City Manager Slatcher introduced Building Official Mike Bailey for the second reading of the ordinance that was presented at the November 14th Council meeting. Mr. Bailey came forward and presented the second reading for the 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). Mr. Bailey stated that this would change the uses by right. That specific language is as follows: 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.

Mr. Bailey reminded Council that the change was requested by Carload Express for a site in the Seaford Industrial Park that they are interested in.

Mayor Genshaw solicited questions from Council. There were none.

Mayor Genshaw solicited questions from the public.

Resident Dan Cannon came forward and asked for clarification on the language read in the amended code. He commented on the use of the term 'incidental' and wished to clarify that the amended code would allow for incidental, not primary use of propane storage.

City Manager Slatcher answered, yes. That was what was stated by the attorney at the previous meeting.

Resident Dan Cannon stated he just wanted to confirm that the City will not have propane tank storage as a primary business, etc.

Councilman Henderson added that when Mr. Bailey read the ordinance he used the word 'incidental' but it is not shown in the verbiage presented.

Mr. Bailey and Assistant City Manager Anderson confirmed that the verbiage shown to the public and Council on the power point was the correct verbiage and the same wording as in the previous meeting.

City Manager Slatcher requested Mr. Bailey re-read the correct ordinance directly from the power point.

Mr. Bailey commenced to re-read the correct verbiage as follows:

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 when used in conjunction with one of the other permitted uses in items 1-11 located on the same property.

Mayor Genshaw confirmed with Councilman Henderson that this clarified any confusion. Councilman Henderson stated that it did clear up that portion however in the previous meeting City Solicitor Jim Fuqua clarified in discussion that it would be incidental.

Mr. Bailey replied that the City would not allow a propane storage facility and that it would be one use allowed in conjunction with other uses.

City Manager Slatcher added for clarity that if this site did not have the building and it was just to be a depot it would not be permitted as a tank farm. However, due to the building and its occupancy of the building this will be one of the permitted uses in that zone. In addition, a representative from Carload Express is present and can confirm that the uses for this location have been accurately described.

Mr. Cliff Grunstra representing Carload Express came forward and verified that the reading shown was in fact the one presented at the previous meeting. Mr. Grunstra continued by explaining that as previously stated, this site would not necessarily be used as a propane distribution terminal. It is something Carload Express saw as a potential use for the property in conjunction with any liquid distribution and feel the ability to do so would be very useful.

Councilman Henderson added that the City will also have the safeguard with the Planning and Zoning Commission when plans are presented to them for review and recommendation to City Council.

Mayor Genshaw solicited any additional questions from Council or the public. There were none.

Mayor Genshaw closed the Public Hearing portion of the meeting and with no other questions called for the motion for the second reading of the ordinance. Councilman Holland made a motion to adopt the amendment to Chapter 15 Section 15-50 Uses by Right 12 as presented. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

NEW BUSINESS

Mayor Genshaw presented New Business #1. City Manager Slatcher stated that Mr. Joey Gilkerson representing DEVRECO was present to request an extension on the sale of tax map parcel 531-10.00-236.00 located at the corner of Park Avenue and Nesbitt Drive in the Seaford Industrial Park. DEVRECO is requesting a 180-day extension. The company is planning to sell the property and have received a buyer's deposit of \$5,000. The Council had a prior agreement that the date of expiration would have been December 9th, 2017 and the new date would be May 31st, 2018

Mayor Genshaw solicited any additional questions or comments from Council. There were none.

Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve the extension of the sale on tax map parcel 531-10.00-236.00 located at the corner of Park Avenue and Nesbitt Drive consisting of 2.68+ acres to be extended for an additional 180 days. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #2, City Manager Slatcher presented the information on The Ross Mansion Community Event Center parking lot. City Manager Slatcher stated that the Seaford Historical Society did acquire \$142,000 from Community Trust Funds via the City of Seaford and an additional \$8,000 from Sussex County Council direct to them. This leaves them a remaining balance of \$37,894 on the cost of the parking lot. City Manager Slatcher requested that the City provide the additional funding so that the City shares in the funding of the project and use those funds towards their grant match. City Manager Slatcher also noted that the City did receive the final signed agreement from DELDOT for the \$142,000 in funding.

Mayor Genshaw solicited and question or comments from council.

Councilman Henderson asked if this was a similar agreement to the project that was completed for the Boys and Girls Club. City Manager Slatcher replied that the repaving for the Seaford Public Library and the Boys and Girls Club was a straight contribution using CTF with the City managing the project and funds. In this case the contributions would be used as matching funds for the Seaford Historical Society for their grants.

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

Mayor Genshaw called for a motion. Councilwoman Peterson made a motion to approve City funds of \$37,894 for the funding of the Ross Mansion Community Event Center parking lot. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all voting in favor.

Mayor Genshaw presented New Business #3. City Manager Slatcher presented the Wastewater Planning Advance Grant as an addendum to the preliminary engineering report for the upgrade and expansion of the City's Wastewater Treatment Facility. The amount requested is \$33,000 which would be an advance on a future loan for the expansion of the Wastewater Treatment Plant. The \$33,000 would be to address the copper investigations and design that would be included in the final design for the future upgrades. If the referendum was unsuccessful the City would not be required to pay this amount back. If the referendum was successful this amount would become part of that loan. The plant upgrades are anticipated for 2020-2025 or later depending on progress with Sussex County, the Bridgeville & Greenwood addition and the City's ability to obtain the phosphorous and nitrogen allocations. City Manager Slatcher stressed that the City needs to address the copper issue and this would be a means to do so.

Mayor Genshaw solicited and question or comments from Council. There were none.

Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve the application for the \$33,000 for the Wastewater Planning Advance to the City of Seaford for the preparation of a preliminary engineering report for the upgrade and expansion of the city's wastewater treatment facilities addendum as presented. Councilman Mulvaney seconded the motion; motion so passed with all voting in favor.

Mayor Genshaw presented New Business #4. Mr. Bill Bennett Director of Electric presented his updates on the Pine Street Substation and Distribution projects. Mr. Bennett came forward and updated Council that currently on the project the storm water management pond has been completed along with the cable trough for all of the controlled cabling. The grounding grid is at 90% completion and everything has been completed inside the new sub-station. All structural concrete is poured and the 42,000-pound control building was delivered and set in place by First State Crane. Temporary power has been run to the building so that the work can be completed on the inside. In addition, the 12 pairs of fiber optic cable have been pulled in and hooked up to the SCADA system. The distribution breakers, the two main breakers for the transformers and the transmission breaker have been set and the two remaining breakers will be set between January and February. All poles have been set on Virginia Avenue and all of circuit 210 has been pulled in and they are set to pull in new circuit 230.

Mayor Genshaw asked if the work was still on schedule. Mr. Bennett replied yes and stated the only delay has been with the delivery of wiring which has a 15 week wait time. The Electric department has been using wiring already on hand and has borrowed from several other local municipalities. The wire arrived today.

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

Mayor Genshaw presented New Business #5. The reading of the ordinance relating to the promotion of Economic Development and Commerce by regulations of certain involuntary payments required of employees in the City of Seaford. Mayor Genshaw went on to explain that Seaford has felt the impact of job loss and the Council has made decisions in an attempt to spur economic growth. Whether it be with the investments in the Industrial Parks and electrical upgrades, running water and sewer up Route 13 or the Council's choice to fund and support a full time Economic Development Director. The last three years Council voted to hold taxes and fees and most recently the City of Seaford decided to team up with Sperry Van Ness to market the Cities economy in an effort to attract more businesses to our Industrial Park and promote jobs. Mayor Genshaw explained that companies look to the issue laid out in the ordinance when doing site selection for a business and this ordinance will help the City of Seaford be part of that selection and fight to win that business. Mayor Genshaw turned to City Manager Slatcher to highlight some of the important items in the ordinance.

City Manager Slatcher explained that per the Mayor's request the ordinance is posted on the City of Seaford website in full content and there will also be a second reading of the ordinance at the next Council meeting. City Manager Slatcher went on to state that the ordinance is relating to the promotion of economic development and commerce by regulating of certain involuntary payment

required of employees in the City of Seaford. The ordinance also states that the City Council desires to promote economic development and worker freedom for all of the City of Seaford directly and in cooperation with public and private entities promoting the City of Seaford, its resources, its people and its many geographical and cultural advantages. Also, the desire is to have the City of Seaford and its residents compete with the expansion of employment opportunities with other Cities, Counties and States including such states as; Michigan, Kentucky, Indiana, etc. Finally, this will be an inclusion of the provisions of sections 1-12 in the city code. This ordinance will be hereby made Chapter 5, Article 5, Regulation of Involuntary Payments Required of Employees in this section shall be numbered Section 5.5.1-5.5.12.

Mayor Genshaw solicited any questions or comments from Council, there were none. Mayor Genshaw then accepted a motion to close the Regular Council Meeting and go into Executive Session. Councilwoman Phillips Lowe made a motion to close the regular meeting and go into Executive Session. Councilman Mulvaney seconded the motion, motion so passed with all voting in favor.

Mayor Genshaw closed the Regular Council Meeting and opened the Executive Session at 7:38 p.m.

Mayor Genshaw reopened the Regular Council meeting at 8:13 p.m.

OLD BUSINESS

No old business to discuss.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

1. Caroling in the Park, Gateway Park, Monday, November 27th; Band at 6:45 p.m. with program starting at 7 p.m.
2. 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.
3. SCAT dinner meeting, Victoria's; Rehoboth Beach, Wednesday, December 6th at 6 p.m.
4. Employee dinner, SVFD Banquet Hall, December 9th @ 5:30 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 on police and fire. On 11-14-17 CID along with Dover PD, US Department of Homeland Security, Probation and Parole conducted an undercover prostitution operation. As a result of the operation 6 subjects were arrested on 13 various charges. Recovered 10 grams of marijuana, .8 grams of methamphetamine, along with one shotgun. A-Squad along with CID while investigating a suspicious vehicle were able to recover 2lbs of marijuana. The result was one male and one female were arrested on various drug charges and were released on bond pending court appearance. C-Squad responded to a welfare check in the Wal-Mart parking lot. Officers located the subject and subsequent investigation lead to the recovery of 440 bags of heroin along with 14.4 grams of powder cocaine. Subject arrested and committed to the Department of Corrections. On 11-21-17 B-Squad along with CID responded to the Pine Street area in reference to possible drug sales. They contacted two subjects who fled from officers. Officers eventually apprehended the subjects and recovered 26 bags of heroin (two bundles) and seized \$661.00 in suspected drug money. Subjects arrested and committed to the Department of Corrections.

In discussion with the Chief of Police, the holiday patrols are in effect and monitoring all shopping areas including High Street and all shopping centers. This monitoring will take place throughout the Christmas season.

Councilman Holland reported on administration. Council agenda and presentations were prepared. Administration attended various meetings including; a distributed generation webinar with Bill Bennett, distribution and substation progress meetings, met with Judy and Vince regarding the soil boring results for the Sussex Highway sewer project, staff meeting, AMI progress meeting & the DEMEC Board meeting. Other work included, a meeting with the new leadership of the SCSC to discuss the 2018 season and beyond, participation in the turkey drive event at the Boys & Girls Club, work on presentations for the Electric Committee meeting and the planning session and worked with the attorney and Mayor on an ordinance draft.

Information Technology report included removal/restoration of operating system on PC, software configuration on server, work with See, Click, Fix regarding app development and routine calls for service.

Administration Report included information regarding the meeting with the auditor for the 2015 Justice Assistance Grant, continue working with DEMEC on the bond financing for the distribution and substation project and continued work with Edmunds & Associates to prepare for the AMI project. All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilwoman Peterson reported on Code and Parks & Recreation. Code Official Mike Bailey reports attending a training for residential fire sprinkler system on November 15th. Code is doing routine inspection for on-going projects and violation inspections throughout the city and performing a plan review for new permits. Code Officer Shannon Passwaters is processing renewal

license for the plumbers and trash haulers for 2018 and as of November 27th, 282 permits have been issued. The Code Inspector position has been filled as of November 27th.

Parks and Recreation Superintendent Katie Hickey reports that recreation has basketball and wrestling up and going. Parks trimmed shrubs and removed dead ones on High Street with assistance from the Electric Department. Parks and other Dept. employees helped decorate City Hall and the christmas tree in Gateway Park. The Parks Department is currently doing winter maintenance on their vehicles.

Councilman Mulvaney reported on Public Works & WWTF. In Wastewater Treatment the plant performance remains good with one blower out for repair. There is still plenty of compost and the loader remains out of service while awaiting repairs to the braking system.

In Public Works the water main break at Harrington & Porter streets was completed. The leaf machine remains in frequent operation and several properties were cleaned up for the code department. Finally, sign inventory has started to determine necessary replacements.

Councilman Henderson reported that Director of Electric Bill Bennett continued his regular meetings with AUI (contractor) on site at the Pine Street Sub-Station and the distribution portion of the project. In addition, Mr. Bennett coordinated the switching to de-energize circuits 280 & 290, and crews performed the switching necessary to de-energize them. This enabled new wire to be pulled across the railway. In addition, some electric personnel helped put up the Christmas tree in Gateway Park and crews finished hanging Christmas lights. Crews worked on circuit 270 on Cedar Ave, and they also did some tree trimming. Bill also attended a webinar about distributed energy attachments to our system. There were no outages to report during the period.

With no further comments, Mayor Genshaw called for a motion to adjourn the Regular Meeting of Mayor and Council at 8:40 p.m. Councilman Holland made a motion to adjourn the Regular Meeting of Mayor and Council. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor. Mayor Genshaw closed the Regular Meeting at 8:41 p.m.

Dolores J. Slatcher, City Manager

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