

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

November 27, 2012

7:00 PM

Vice-Mayor J. Rhea Shannon called the Regular Meeting to order with the following present: Councilwoman Pat A. Jones and Councilwoman Grace Peterson. Josh Littleton, Building Official, and Charles Anderson, Assistant City Manager, were also present.

Councilwoman Peterson offered the opening prayer and Vice-Mayor Shannon led those present in the Pledge of Allegiance.

Vice-Mayor Shannon solicited changes to the agenda. Assistant City Manager Anderson stated that there were none.

Vice-Mayor Shannon called for a motion to approve the Minutes of the Regular Meeting of November 13, 2012. Councilwoman Peterson made the motion to approve the minutes of November 13, 2012. Councilwoman Jones seconded the motion. The motion so passed with all present voting in favor.

Correspondence

Assistant City Manager Anderson read a letter from Mr. Donald Booth who was commending Officer Megan Tavares for her excellent job with handling an issue that he had with identity theft.

Assistant City Manager Anderson then read a letter from the Western Sussex Farmer's Market Board who were reporting their results of the 2012 season. They had a successful year with approximately 2,500 customers and thirteen vendors. They thanked the assistance from the Mayor and Council for this year's market.

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

Mr. Josh Littleton, Building Official presented Public Hearing #1, Case No. S-18-12: B.G. Joseph, Inc., the property owners of Tax Map and Parcel(s) 3-31-6.00-1.00; 3-31-6.00-444; 3-31-6.00-444.01 & 3-31-6.00-444.02 located on Sussex Highway are seeking to revise a recorded subdivision by realigning a lot line in order to increase the size of "Lot 2". Mr. Littleton explained that the land was formerly owned by Circle J Developers and was presented to P&Z in 2006 as "Circle J Route 13". This would allow the realign lot lines of the recorded subdivision plan to increase the size of Lot #2 to include the existing area to 0.754 acres and the proposed area to 0.934 acres. Mr. Littleton explained that the other lot has been through to be a shopping center but is only in the preliminary stage.

Vice-Mayor Shannon solicited any questions from the public. Mr. Jeff Benson asked what businesses were going to be in the shopping center. Mr. Littleton explained that there are none proposed at this time. Mr. Benson also asked what the time frame for the project was. It was stated that construction is planned to start in April. He then solicited any questions from Council; there were none.

Mr. Littleton presented Public Hearing #2, B.G. Joseph, Inc., property owners(s) of Tax Map and Parcel(s) 3-31-6.00-1.00; 3-31-6.00-444; 3-31-6.00-444.01; & 3-31-6.00-444.02 located on Sussex Highway are requesting a preliminary plan review and approval for a revised site plan for a 4,687 +/- sq. ft. car wash and a 24,427 +/- sq. ft. commercial retail building with parking and other required site facilities. Mr. Littleton explained this is a preliminary site plan review for the entire site and final review will be for the Car Wash site only. It will be a 4,687 ± sq. ft car wash building and a 24,427 ± sq. ft. retail center. Mr. Littleton stated that DelDot Corridor Preservation Road will be partially constructed w/ this project and will eventually give road access to Seaford 36 property to the South and the L&S Thirteen property to the North. He added that a variance was granted on 12/27/07 for relief from the entrance distance location (300') for a car wash. A water and sanitary sewer facilities will be installed by the developer and dedicated back to the City of Seaford for long term maintenance. There is an electric service that already exists along Sussex Highway for the

property. Mr. Littleton added that a stormwater system maintenance agreement will be put in place since it will be a shared pond system.

Vice -Mayor Shannon solicited any questions from the public. Mr. Kevin Jefferson asked what type of car wash this would be? Mr. Garrett Grier who is the developer of the proposed project came forward and stated that this will be a full service car wash. He will have people who will go to the car and take the order and then the car will be vacuumed out and put through the car wash. After the car wash is done, the car will be dried off and given back to the customer. He added that there will be a furnished lobby inside that will have items to purchase. It will be a seven days a week operation with the hours being 8 to 5 Monday through Saturday and 9 to 4 on Sunday. He also added that the hours will change with the time change. He then solicited any questions from Council; there were none.

Vice-Mayor Shannon closed the Public Hearing at 7:14 p.m. and reopened the Regular Meeting.

Mr. Littleton presented the Findings of Facts for the subdivision:

- Realignment of the lot lines of a recorded subdivision plan to increase the size of Lot #2
- Properties are located on Sussex Hwy and are identified as Tax Map and Parcel(s) 3-31-6.00 - 1.00; 444.00; 444.01; 444.02
- Existing area of Lot #2: 0.754 ± acres
- Proposed area of Lot #2: 0.934 ± acres
- Property is zoned C-2 Highway Commercial
- The proposed change complies with the area & bulk regulations for the district
- Planning and Zoning sent a favorable recommendation to Council.

Vice-Mayor Shannon called for a motion. Councilwoman Jones made a motion to approve the revised subdivision for B.G. Joseph, Inc., owners of Tax Map and Parcel(s) 3-31-6.00-1.00; 3-31-6.00-444; 3-31-6.00-444.01; and 3-31-6.00-444.02 in the realigning of a lot line to increase the size of "Lot 2". Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Shannon then called for a Roll Call Vote:

Councilwoman Jones voted in favor based on findings of fact;
Councilwoman Peterson voted in favor based on findings of fact.

Vice-Mayor Shannon confirmed that the motion passed with all present voting in favor.

Mr. Littleton presented the Finding of Facts for Preliminary Plan Review Approval:

- Project is located on Sussex Hwy
- Tax ID #3-31-6.00-1.00; 444.00; 444.01; 444.02
- Revised preliminary site plan to include a 4,687 ± sq. ft. car wash & 24,427 ± sq. ft. retail center with parking and other required site facilities;
- Property is zoned C-2 Highway Commercial
- A variance was granted on 12/27/07 for relief from the entrance distance requirement.
- Project Requires approval from:
 - DelDOT Letter of "No Objection" to record subdivision & entrance approval
 - DelDOT South District Utility Permit
 - Sussex Conservation District
 - State Fire Marshal for site
 - Division of Public Health (Office of Drinking Water for the extension of the water mains)
 - DNREC for the extension of the sewer mains
- Project will return for a final approval once the design is completed and outside agency approvals have been obtained.

Vice-Mayor Shannon called for a motion. Councilwoman Peterson made a motion to approve the preliminary plans for B.G. Joseph, Inc., owners of Tax Map and Parcel(s) 3-31-6.00-1.00; 3-31-6.00-444; 3-31-6.00-444.01; and 3-31-6.00-444.02 and approval of the revised site plan for a 4,687

+/- sq ft car wash and a 24,427 +/- sq ft commercial retail building with associated parking and other required site facilities. Councilwoman Jones seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Shannon then called for a Roll Call Vote:

Councilwoman Jones voted in favor based on findings of fact;
Councilwoman Peterson voted in favor based on findings of fact.

Vice-Mayor Shannon confirmed that the motion passed with all present voting in favor.

Assistant City Manager Anderson presented New Business # 1, Request for the American Heart Association to participate in the "City Goes Red" initiative in Gateway Park. Assistant City Manager Anderson explained that they are requesting that the month of February that Gateway Park be decorated in red for heart disease awareness. He explained that there have been other organizations have decorated in the park and there have been no problems. The hospital will be responsible for decorating and cleaning up the park. Councilwoman Peterson made a motion to approve the American Heart Association to participate in the "City Goes Red" by lighting Gateway Park in red lights. Councilwoman Jones seconded the motion; motion so passed with all present voting in favor.

Assistant City Manager Anderson presented New Business #1, Request for Ms. Susan Osborne to install a geothermal well for heat and air conditioning at her residence on 529 McKean Street. Assistant City Manager Anderson stated that a request came in from DNREC due to the digging of the well to install the system at the above referenced address. He stated that permit is required now and there have been some installed in the City in the past and there have not been any problems. Councilwoman Jones asked how long the installation would take. Assistant City Manager Anderson stated that it usually takes less a week but it does depend on the digging and if they run into any problems. He added that at this location they will be installing three wells. Councilwoman Jones made a motion to approve the request from Ms. Susan Osborne for a closed loop geothermal well at her residence on 529 McKean Street for heating and air conditioning. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Assistant City Manager Anderson presented New Business #2; There will not be a Council Meeting on December 25, 2012 due to the Christmas Holiday.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- Christmas Parade on Saturday, December 1, 2012 @ 7 p.m.
- Employee Christmas Party on December 8, 2012 @ 6 p.m. @ SVFD banquet hall

COMMITTEE REPORTS

Councilwoman Peterson reported that the electric department has finished putting up the Christmas lights. They have been helping the parks with cleaning out around the National Armory. The electric department also assisted Verizon with a pole removal on North and King Street. The transformer and meters have been installed at Building #5 at Stoneybrook. The solar project is currently out to bid and a pre-bid meeting was held on November 7th and RFP's are due back on November 28th.

Councilman Shannon reported that he will be attending the fire department meeting tomorrow night and everything is routine at the police department.

Councilwoman Jones reported that Caroling in the Park was a successful event. There was a block watch meeting on the 19th that was very good information from the Chamber Director, Paula Gunson. She added that she has a meeting scheduled with June on December 6th in which she will get more information. She also added that Nutter Park has been reopened as of Monday.

Assistant City Manager Anderson reported for Councilman Genshaw that the Parks and Recreation Committee had their first meeting. The departments are currently working on suggestions from the meeting and will hold their next meeting in January.

With no further comments, Vice-Mayor Shannon for a motion to close the Regular Meeting of Mayor and Council. Councilwoman Peterson so moved. Councilwoman Jones seconded the motion and the motion so carried with all present voting in favor. Mayor Bennett closed the meeting at 7:32 p.m.

Charles D. Anderson, Assistant City Manager

/tnt