

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

February 12, 2013

7:00 p.m.

Mayor William G. Bennett called the Regular Meeting to order with the following present: Councilman J. Rhea Shannon, Councilwoman Grace S. Peterson, Councilwoman Leanne Phillips-Lowe and Councilman David Genshaw. Dolores J. Slatcher, City Manager, Charles Anderson, Assistant City Manager and Rick Garner, Director of Power, were also present. Councilwoman Pat A. Jones was not present due to illness.

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

Mayor Bennett solicited changes to the agenda. City Manager Slatcher stated there were none.

Mayor Bennett called for a motion to approve the Minutes of the Regular Council meeting of January 22, 2013. Councilman Shannon made the motion to approve the Minutes of the January 22, 2013 Regular Council meeting. Councilman Genshaw seconded the motion. Motion so passed, with all present voting in favor.

Mayor Bennett then asked for any correspondence. City Manager Slatcher stated there was none. Mayor Bennett stated he received a letter from Frank D. Cannon, Jr. in reference to employee benefits and other budget items. He stated the letter would be addressed in the proper meetings.

City Manager Slatcher presented New Business #1, bids for the Zero Turn Mower for the Parks Department. She stated we received five bids. The low bidder was Selbyville Tractor and they did not meet the bid specs on the requirements for the mower. The recommendation is go to the next lowest bidder, which is Burke Equipment for a Kubota ZG327 Rear Discharge mower. She stated the recommendation is to award the bid to Burke Equipment in the net amount of \$7,700.

Mayor Bennett called for a motion. Councilman Genshaw made a motion to award the bid for the zero-turn mower to Burke Equipment for the net of trade in the amount of \$7,700. Councilwoman Phillips-Lowe seconded the motion. Motion so passed, with all present voting in favor.

City Manager Slatcher asked Rick Garner, Director of Power, to present New Business #2, the proposed Municipal Electric Utilities Renewable Portfolio Standard plan for approval. He stated the State's current RPS target is 25% by 2025 and that was mandated in 2010. In 2010 DEMEC and its members, which were previously exempt from this plan, voluntarily participated. They negotiated a few things with the State in volunteering to do so. The key component of the negotiations was the municipal companies were allowed to have their own comparable plan. That allows us to comply, but at our own rate. That will allow us to offset some early costs. He stated another key component was circuit breakers. Basically that the

cost of total Renewable Energy Credits (RECs) exceeds 3% of our annual retail sales and we can put a freeze on our compliance for that year, or if the cost of the Solar Renewable Energy Credits (SRECs) exceeds 1% of annual retail sales that can also put a freeze on for that year. That also helps us reduce the impact to our rate payers. DEMEC has proposed developing our compliance plan in five year increments with annual reviews.

Councilwoman Peterson asked what percentage we are paying now. Mr. Garner stated we are not at, but are close to 10% now.

Mayor Bennett called for a motion. Councilwoman Peterson made a motion to approve Seaford's participation in the Municipal Electric Utilities Renewable Portfolio Standard Plan as presented. Councilman Genshaw seconded the motion, motion so passed with all present voting in favor.

Rick Garner, Director of Power, presented New Business #3, a request for approval to renew the Demand Response Aggregator Approval for DEMEC/Comverge. He stated in 2010 Council adopted an ordinance requiring any demand response services provider to be authorized by the City before it could do business in the City. It gives us the right to name an exclusive service provider and has several advantages. This would be our third year of participation.

Mayor Bennett called for a motion. Councilman Shannon made a motion to approve the renewal for the Demand Response Aggregator to be DEMEC/Comverge for the June 1, 2013 through May 31, 2014 PJM Demand Response Program year. Councilwoman Peterson seconded the motion. Motion so passed, with all present voting in favor.

City Manager Slatcher presented New Business #4, the first reading of Chapter 17 of the Municipal Code – Cable Television Rate Regulation. She stated this is only a first reading and no action is required at this time. It is just updating the Code. She stated the Building Official has been reviewing the Code and making changes for updating. She also stated the franchise agreement is not up for renewal at this time.

City Manager Slatcher presented New Business #5, present for approval for the FY13 Delaware CDBG:

- a) The application form to be signed by Mayor Bennett
- b) Citizen Participation Certificate of Assurance to be signed by Mayor Bennett
- c) Resolution for recognition and support of goals for the Federal Housing Law to be signed by Mayor Bennett
- d) Resolution for application for CDBG funds and to apply through Sussex County to be signed by Mayor Bennett (roll call vote)
- e) Certification by applications for the DE CDBG Program to be signed by Mayor Bennett

She stated at the last Council meeting we had a public hearing for the Community Development Block Grant program, where we will participate through Sussex County. They have a list of about 20 residents in Seaford that need improvements to their homes. As part

of the program, there are several resolutions and forms that need to be signed and approved by the Mayor.

Mayor Bennett called for a motion items a, b, c and e. Councilwoman Phillips-Lowe made a motion to approve Mayor Bennett to sign the forms related to the FY13 Delaware CDBG being the application form; Citizen Participation Certificate of Assurance; the resolution for Recognition and Support of goals for the Federal Fair Housing Law; and Certification by applications. Councilwoman Peterson seconded the motion, with all present voting in favor.

Mayor Bennett called for another motion for item d. Councilwoman Phillips-Lowe made a motion to approve Mayor Bennett to sign the resolution for application for CDBG funds and to apply through Sussex County. Councilman Genshaw seconded the motion, with all present voting in favor.

Mayor Bennett then called for a Roll Call Vote:

Councilman Genshaw voted in favor;
Councilman Shannon voted in favor;
Councilwoman Phillips-Lowe voted in favor;
Councilwoman Peterson voted in favor.

Mayor Bennett confirmed that the motion passed with all voting in favor.

City Manager Slatcher presented New Business #6, request for approval to hire Carmean Appraisal to value the lands donated to the City by Timothy Ayers. The recommendation is to approve the appraisal so we can put a value on this and move forward.

Mayor Bennett called for a motion. Councilwoman Peterson made a motion to authorize Carmean Appraisal Group to appraise the lands donated at the year-end 2012 by Timothy Ayers to the City of Seaford in the amount of \$3,000 to be paid out of the sale of lands reserve. Councilman Shannon seconded the motion. Motion so passed with all voting in favor.

City Manager Slatcher presented New Business #7, discussion and approval of the extension of sanitary sewer mains from the Lowes site to the Circle J Commercial Development. She stated there is a developer that wants to develop the lands on the east side of US 13. The extension would be from the lift station at the Lowes site, it would go west, then north and then east and crossover 13. She stated they picked that point to avoid the retaining wall at the Lowes site. The developer is the Bank of Delmarva who would then pick up the extension and have offered to pay part of the cost for the sewer extension. The City would bear the rest of the cost for the project. The extension would also give us an opportunity to serve the vacant lands to the north. She stated the total estimated cost of the sewer extension is \$352,522.50. The City would be paying \$244,090.00 and the Bank of Delmarva would be paying \$108,432.50. The recommendation is to share the cost to

move this project forward and to position ourselves for future development going north on Route 13.

Mayor Bennett called for a motion. Councilman Shannon made a motion to approve the concept proposal for the extension of sanitary sewer from the lift station located near Lowes to the Circle J Commercial property on the east side of US 13 and to authorize staff to continue with project design and using the shared cost proposal with Bank of Delmarva for the extension of these services. Councilman Genshaw seconded the motion. Motion so passed with all voting in favor.

City Manager Slatcher presented Old Business #1, discussion of River Place Apartments and present for the first reading changes to the existing Code Division 3 C-3 Riverfront Enterprise Zone for this project. She stated instead of writing a whole new code, the staff went into the Code Division 3 C-3 Riverfront Enterprise Zone and modified it. The area and bulk requirements may be modified or waived for any riverfront residential use, with the approval of the City Council when such modification or waiver is found to be appropriate and consistent with the intent of the district. She stated this only applies to the Riverfront and not other parts of the community. She stated this could be taken as a first reading and be brought back to the next meeting as a second reading.

City Manager Slatcher presented Old Business #2, the amended recommendation for parking restrictions on School Lane as requested by the Seaford School District. The parking committee reviewed the site and recommends the following

1. School Lane be restricted as no parking on the east side to the northern side of the entrance to the Our Lady of Lourdes parish house. This would need to be done with additional "no parking" signs and 4" solid yellow line along the edge of pavement where no curb exists on the east side of the road.
2. The west side of School Lane be signed as "no parking" M-F 7:00 a.m. – 3:00 p.m. This would allow off-hour parking for the church patrons and residents in the area.
3. The handicapped parking sign located on the west side of School Lane would be removed. It was relayed to us that this is no longer used by the school and was improperly marked.

Mayor Bennett called for a motion. Councilman Shannon made a motion to approve the parking committee's recommendation as presented for specific no parking areas for the Seaford School District. Councilwoman Peterson seconded the motion, with all present voting in favor.

REMINDER OF MEETINGS & SETTING OF NEW MEETINGS:

- Delaware League meeting
- Chamber Rise and Shine breakfast on February 21st @ 7:00 a.m.

Annual Municipal Election Information:

Election date is Saturday, April 20, 2013 from 10:00 a.m. until 6:00 p.m.
Candidate filing deadline and Voter Registration deadline is March 22, 2013 by 5:00 p.m.

All interested candidates must file with the City Manager before the filing deadline.
Only on Council Member's position is up for election. The position is currently held by Councilwoman Leanne Phillips-Lowe.

To date only Councilwoman Phillips-Lowe has filed.

COMMITTEE REPORTS:

Councilman Shannon reported that Dispatcher Givens is continuing to train at the Police Department and SALLE meeting was approved today by the committee.

City Manager Slatcher read Councilwoman Jones' report. She reported that June Merritt, Director of Finance, attended both planning sessions. She revised the sick leave and medical leave policy discussed in the planning session. She is working on FY14 budget and assisted various retirees with questions regarding health insurance and pension benefits. She is setting up financial files for tracking funding for various projects and processed various grant reports required quarterly. She also assisted with the implementation of the online billing software. The utility bills were mailed out on February 13th. Water meters will be read February 25th-27th. Electric meters will be read February 28th-March 1st and disconnects will be done on March 6th.

Councilman Genshaw reported that everything continues to move along. We are continuing to look for ways to make more people aware of our programs. He also reported there is a community meeting tomorrow night to discuss the walking trail.

Councilwoman Phillips-Lowe reported that the ED/IT manager attended a cyber security seminar. She also attended meetings involving S.E.T. and the power plant. She is also working on the FY2014 grant for the Delaware Division of the Arts and the FY2014 budget information. More details are to be forthcoming for the Work Site Wellness program, but they will have a kick off with its formal event on April 3rd at 4:30 p.m. at the Jay's Nest. The first activity, aquatic aerobics, will start in March. Public Works repaired a water main break on Atlanta Road, repaired a few water service leaks and pulling of the hedge at Hooper's Landing will hopefully be completed this week. The fence installation could possibly start next week. The Public Works department and WWTF is both short one employee each and job openings have been posted externally. The WWTF and the compost site are operating well. The code department has sent approximately 15 violation letters out and 6 work orders have been written for violations. They have issued 7 building permits and are

working on purging of central files and archiving information. There will be Board of Adjustments meeting in March.

Councilwoman Peterson reported that the electric department has replaced one of the light poles on US 13 and the other will be done when the ground is firm enough. The directional boring for the conduit at Seaford Meadows is complete and they are now working on the underground cable this week. We are preparing for estimates for the distribution line extensions for the Boyd warehouses at the Industrial Park and for Gardner Asphalt expansion project. On January 23rd there were several blips reported during the high winds. There was a fuse cut out that failed on February 2nd, causing about a 90 minute outage at Chandler Heights.

There being no other business, Mayor Bennett called for a motion to adjourn. Councilwoman Phillips-Lowe made a motion to adjourn. Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

Mayor Bennett adjourned the Regular meeting at 7:38 p.m.

By: _____
Dolores J. Slatcher, City Manager

/tlh