

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

June 22, 2010

7:00PM

Mayor Edward H. Butler, Jr., called the Regular Meeting to order with the following present: Councilwoman Grace S. Peterson, Councilwoman Pat A. Jones, Councilman J. Rhea Shannon and Councilman William G. Bennett. Dolores J. Slatcher, City Manager, Sharon Drugash, Real Estate Property Manager, and Josh Littleton, Code Official were also present.

Councilwoman Jones offered the opening prayer and Mayor Butler led those present in the Pledge of Allegiance.

Mayor Butler solicited changes to the agenda. City Manager Slatcher stated there were no changes. With no changes Mayor Butler called for a motion to approve the Minutes of the Regular Meeting of June 8, 2010. Councilman Bennett made the motion to approve the minutes of June 8, 2010. Councilwoman Jones seconded the motion. The motion so passed with all present voting in favor.

Mayor Butler solicited correspondence.

City Manager Slatcher stated there was a card from Bunny Williams thanking Mayor and Council for their donation to the Western Sussex Farmers Market due to open on July 3, 2010.

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

Josh Littleton, Building Official presented Express Delaware, LLC, property owners of 131 Venture Dr., also known as the Fed Ex Ground location, for final site plan review for a 12' x 54' modular dock to be placed on a permanent foundation at the existing dock door at the N.E. corner of the existing terminal. A 1,500 sq. ft. pavement expansion will accommodate truck and van traffic turning radii and dock positions. Mr. Littleton presented the findings of facts:

- Plan complies with the M-1 area and bulk requirements.
- Plan complies with the Ross Business Park Covenants.
- The State Fire Marshal is requiring the dock to be sprinklered.
- A 24' fire lane will be provided.
- State Fire Marshal has approved site and building.
- Less than 5000 s.f. of impervious surface will be disturbed.
- Due to the temporary nature of the construction, staff recommends stipulating a 5 year approval.

Mayor Butler asked if there were any questions.

Councilman Bennett asked how much space this would take up and Mr. Littleton stated 5,000 sq/ft. Mr. Littleton was then asked if this would allow for more trucks and a greater volume of production. Mr. Littleton requested Robert Jones from Vortex Engineers, to address the question. Mr. Jones stated this addition would be a more effective way of handling packages. City Manager Slatcher asked that it be noted for the record, that this project is outside of the wellhead protection area.

With no further questions Mayor Butler closed the Public Hearing at 7:15 p.m. and reopened the regular meeting.

Mayor Butler asked for a motion on the final site plan review for Express Delaware, LLC. Councilman Bennett made a motion to approve the final site plan for a 12' X 54' modular dock for Express Delaware, LLC based on finding of facts and a stipulation

for length of approval being five (5) years. Councilwoman Peters seconded the motion. Mayor Butler called for a roll call vote.

Roll Call Vote:

Councilwoman Peterson voted in favor based on the findings of fact;
Councilwoman Jones voted in favor based on the findings of fact;
Councilman Bennett voted in favor based on the findings of fact;
Councilman Shannon vote in favor based on the findings of fact

Mayor Butler confirmed Council unanimously voted to approve the final site plan review for Express Delaware, LLC.

Mr. Curt Riley, a representative of PTA/DEL VAL, presented New Business #1, recommendations on behalf of Mr. Dave Hickey for appellants at real estate tax appeal on June 8, 2010. In the matter of Philippe and Silfira Amisial, 314-316 Front St., a request was made to correct the record to reflect information provided by landowner at hearing. Mr. Riley on behalf of Mr. Hickey recommended no change to be made. The value was in line with similar homes in the neighborhood.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Rhea Shannon made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to make no change in the final assessed value of \$160,700 for Account 1990; Tax Map and Parcel 431-5.00-71.00 owned by Philippe and Silfira Amisial, 314-316 Front Street, as submitted. Councilwoman Peterson seconded the motion and it so carried with all present voting in favor.

In the matter of C&B General Contractors Inc., 402 E. King St., the record was corrected to reflect information provided by landowner at hearing. Mr. Riley on behalf of Mr. Hickey recommended no change be made. The value was in line with similar homes in the neighborhood.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilwoman Peterson made the motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to make no change in the final assessed value of \$175,100 for Account 1799; Tax Map and Parcel 431-5.00-179.00 owned by C&B General Contractors, Inc., 402 E. King Street, as submitted. Councilman Bennett seconded the motion and it so carried with all present voting in favor.

In the matter of David A. and Sharen E. Hagerty, 117 William Ross Ln. The finished basement quality was found to be sub-par and Mr. Riley on behalf of Mr. Hickey recommended a change in the value be reduced from \$342,800 to \$327,800.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to change the final assessed value from \$342,800 down to \$327,800 for Account 6791; Tax Map and Parcel 531-10.00-289.00 owned by David A. and Sharen E. Hagerty, 117 William Ross Lane, as submitted. Councilwoman Jones seconded the motion and it so carried with all present voting in favor.

In the matter of Steven R. and Victoria L. Fowler, 218 Plantation Dr. Mr. Riley on behalf of Mr. Hickey recommended the value was found to be in line with the market and the neighborhood. He recommended no changes be made.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilwoman Jones made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to make no change in the final assessed value of \$316,600 for Account 6854; Tax Map and Parcel 531-10.00-359.00 owned by Steve R and Victoria L. Fowler, 218 Plantation Drive, as submitted. Councilman Bennett seconded the motion and it so carried with all present voting in favor.

In the matter of Trade-Winds Property LLC, 808 Oak St. The record was corrected to reflect information provided by landowner at hearing. Mr. Riley on behalf of Mr. Hickey who did not feel any adjustment needed to be made to the value. The value is in line with similar homes in the neighborhood.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Shannon made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to make no change in the final assessed value of \$176,300 for Account 246; Tax Map and Parcel 531-10.17-18.00 owned by Trade-Winds Prop LLC, 808 Oak Road, as submitted. Councilwoman Peterson seconded the motion and it so carried with all present voting in favor.

In the matter of Jessica Spicer and Tho Nguyen, 600 Cypress Dr. the values had been adjusted to recognize Section 8 housing. Mr. Riley on behalf of Mr. Hickey recommended the value was found to be in line with the neighborhood and no change was being recommended.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to make no change in the final assessed value of \$187,600 for Account 3255; Tax Map and Parcel 531-10.18-101.11 owned by Jessica Spicer and Tho Nguyen, 600 Cypress Drive, as submitted. Councilwoman Jones seconded the motion and it so carried with all present voting in favor.

In the matter of James C. and Patricia C. Cheyunski, 821 Locust St. The record was corrected for the number of half baths. Mr. Riley on behalf of Mr. Hickey recommended to change the value from \$618,800 to \$615,700.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilwoman Peterson made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to change the final assessed value from \$618,800 down to \$615,700 for Account 3354; Tax Map and Parcel 531-13.05-219.00 owned by James M. and Patricia C. Cheyunski, 821 Locust Street, as submitted. Councilman Bennett seconded the motion and it so carried with all present voting in favor.

In the matter of Alton E. and Rhoda G. Millman, 422 Nylon Blvd. Mr. Riley stated a correction was made in the number of half baths and bedrooms. The floor area was found to be correct. Mr. Riley on behalf of Mr. Hickey recommended reducing the value from \$333,700 to \$330,000.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to change the final assessed value from \$333,700 down to \$330,000 for Account 3357; Tax Map and Parcel 531-13.05-222.00 owned by Alton E., Jr. and Rhoda G. Millman, 422 Nylon Boulevard, as submitted. Councilwoman Jones seconded the motion and it so carried with all present voting in favor.

In the matter of Alton E. and Rhoda G. Millman, 406 Sussex Ave. The second floor was found to be unfinished. It was changed from finished living area to unfinished attic. It was recommended to change the value from \$228,900 to \$199,000.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Shannon made a motion to approve the recommendation from Mr. David Hickey, PTA/DELVAL to change the final assessed value from \$228,900 down to \$199,000 for Account 6137; Tax Map and Parcel 531-13.09-15.00 owned by Alton E., Jr. and Rhoda G. Millman, 406 Sussex Avenue, as submitted. Councilwoman Peterson seconded the motion and it so carried with all present voting in favor.

City Manager Dolores Slatcher presented New Business # 2, the proposed real estate tax rate and other rates for FY2011. City Manager Slatcher proposed to raise the real estate property tax rate from \$0.28 per \$100 of assessed value to \$0.29 per \$100 of assessed value.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to set the real estate property tax rate at \$0.29 per \$100 of assessed value based on the 2008 market values for real estate property assessments. Councilwoman Peterson seconded the motion and it so carried with all present voting in favor.

City Manager proceeded with proposed electrical rates which include a 1 mil or 1 penny increase per kwh in the base rate for FY2011 and the rebalancing of the base rate to adjust the Purchased Power Cost Adjustment for the under-collection of power costs occurring in FY2010 to be used effective with bills dated after July 1, 2010.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to approve the electric rates as presented which include a 1 mil or 1 penny increase per kwh in the base rate for FY2011 and the rebalancing of the base rate to adjust the Purchased Power Cost Adjustment for the under-collection of power costs occurring in FY2010 to be used effective with bills dated after July 1, 2010. Councilman Shannon seconded the motion and it so carried with all present voting in favor.

Councilwoman Peterson made a motion to approve all other rates as presented on the City of Seaford Schedule of Fees and Rates effective July 1, 2010 which include no increases for water and sewer rates, impact fees, licenses and permits, hearings, building permit fees, water capacity charge, tap fees, downstream sewer assessment fees, electric system cost recovery fees, water meters and meter pits, commercial property listing on city website, and city equipment and tool rates. The motion was seconded by Councilwoman Jones with all present voting in favor.

City Manager Slatcher presented New Business #3, FY2011 Budget for adoption. City Manager Slatcher reviewed charts of expenditures and revenues (See Attached). She stated the budget is down by 2% from last year but the budget is balanced with very little capital expenditures. She stated in the future there will be some capital purchases needed.

Mayor Butler commended all departments for attending the meetings and making the sacrifices to balance this budget. He asked if there were any questions, then solicited a motion.

Councilwoman Peterson made a motion to approve the FY2011 budget as presented. Councilman Bennett seconded the motion and it so carried with all present voting in favor.

City Manager Slatcher presented New Business # 4, the revised Employee Handbook for approval. She stated the City's Labor Attorney Mr. David Williams reviewed our current employee handbook to make sure it met all state and federal laws. Several things were revised such as the Family Medical Leave Act. She stated all city employees would receive a copy.

Mayor Butler asked if there were any questions. With there being no questions he solicited a motion.

Councilman Bennett made a motion to approve the revised City of Seaford Employee Handbook as presented. Councilman Shannon seconded the motion and it so carried with all present voting in favor.

City Manager Slatcher presented for approval New Business # 5, the renewal of Chief Morris's employment contract. The contract would be for 5 years and stipulates that if he were to decide to retire or step down for any other reason he would be required to give 4 months notice.

Mayor Butler asked if there were any questions. With there being none, he solicited a motion.

Councilman Shannon made a motion to approve the employment contract for the Chief of Police Gary W. Morris for five years. Councilwoman Peterson seconded the motion and it so carried with all present voting in favor.

Reminder of Meetings

- Riverfest, July 8-10, 2010

COMMITTEE REPORTS

Councilwoman Peterson –The Movie in the Park was well attended. They are looking for sponsors for other movies; the cost is \$800 for the movie, screen, and other license fees. She reminded everyone Riverfest is July 8th, 9th, and 10th. Please remember to see Trisha to volunteer for a job. There are several items for sale such as t-shirts, sun-visors, bandanas, cups, and squirt bottles. She said there will be single and double tubes on sale at the float in. She then reminded everyone about the Mayor's Egg Toss, and Councilman Bennett will be in the dunking booth Saturday from 11:00 a.m. till noon.

Councilwoman Jones – The ribbon cutting at the Seaford Community Swim Center went well. She commended all departments that took part in preparing the facility for the Grand Opening for a job well done. The Recreation Department finished up with their Little Smashers' Tennis last week. The other tennis and Softball leagues are running smoothly and they are starting signups for fall leagues.

Councilman Shannon – The Police department is working on selecting a new candidate for the Police Academy. They are currently doing background checks on 2 individuals.

Councilman Bennett – Thanked everyone for their help in getting the pool ready for the grand opening. He stated they did an excellent job. He reported the Electric Department was routine as is the Fire Department.

With no further comments, Mayor Butler called for a motion to adjourn 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 Butler closed the Regular Meeting at 7:42 p.m.

Dolores Slatcher, City Manager

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