

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

October 26, 2010

7:00PM

Mayor Edward H. Butler, Jr., called the Regular Meeting to order with the following present: Councilwoman Grace S. Peterson, Councilwoman Leanne Phillips-Lowe, Councilwoman Pat A. Jones, Councilman J. Rhea Shannon and Councilman William G. Bennett. Dolores J. Slatcher, City Manager, Charles Anderson, Assistant City Manager and Josh Littleton, Building Official were also present.

Councilwoman Peterson 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 that there were changes to the agenda. She would like to delete the approval of the October 12, 2010 meeting minutes; due to her absence they have not yet been seen by Mayor and Council. She would also like to add a letter from Carolyn Wicks, DelDOT Secretary that she received today and add an executive session for the purpose of discussing personnel. Councilwoman Phillips-Lowe made a motion to approve the agenda as presented with the change. Councilman Bennett seconded the motion; motion so passed with all present voting in favor.

Correspondence

City Manager Slatcher stated that she received a letter today from Carolyn Wicks, DelDOT Secretary to inform her that she has been appointed to serve on the Municipal Street Aid Committee. There are two meetings that she will attend to discuss the issue in order to make a recommendation back to the legislators.

Old Business #1 – City Manager Slatcher presented Old Business #1, Announce the results of the Loyal Order of the Moose Lodge Special Annexation Elections results. There were 22 votes for the annexation 1 against and 0 void for City residents and property owners and 1 for the annexation 0 against and 0 void for the Territory owners.

Reminder of Meetings

- Sussex County Today and Tomorrow Conference – October 27th starting at 7:15 a.m. at Del Tech in Georgetown
- Halloween Parade – Downtown Seaford, October 27th starting at 6:30 p.m.
- Nanticoke Memorial Hospital Tribute dinner – October 28th at Heritage Shores starting at 6:00 p.m.
- SCAT Meeting – November 3rd at Millsboro Convention Center starting at 6:00 p.m.
- Returns Day – November 4th starting at 9:30 a.m. at Del Tech in Georgetown

Mayor Butler added that Delaware Teen Challenge has opened a Thrift Shop up on Middleford Road and they will be having a ribbon cutting this Saturday (10/30) starting at 10:00 a.m.

Mayor Butler then closed the regular meeting at 7:05 p.m. and opened the public hearing.

Mr. Josh Littleton, Building Official came forward to present the items on the agenda. The first item on the agenda was Greenside Manor Apartments, L.P., property owners of Greenside Manor Apartments, 216 Tulip Place, Tax Map and Parcel 5-31-10.18-101.06, is seeking a sketch plan review for the renovation of five residential buildings; construction of a new community building; and construction of a separate maintenance building. Mr. Littleton stated that Mr. Dave Layfield is present this evening to represent the property owners. The project will consist of renovation to all 5 residential buildings – including patios and balconies; energy efficient windows and doors. New construction of a multi-purpose community building for the tenant and new construction of a separate maintenance building. New playground equipment will be installed on existing tot lot with an increase accessible of the units to 20%. The renovation will also be upgraded to meet current accessibility Code, including public areas, parking spots, laundry and playground. Mr. Littleton explained that there will be no change in the number of parking spaces since the community

- Planning and Zoning made a favorable recommendation to Council.

Mayor Butler then called for a motion. Councilman Bennett made a motion to approve the sketch plan approval for the Greenside Manor Associates, L.P., property owner of Greenside Manor Apartments, 216 Tulip Place, Tax Map and Parcel 5-31-10.18-101.06 for the renovation of five residential building, a new community building and maintenance building. Councilman Shannon seconded the motion; motion so passed with all present voting in favor.

Roll Call Vote:

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

Mayor Butler confirmed the motion on the floor passed with all present voting in favor.

Mr. Littleton the presented the findings of fact for Better Homes of Seaford, who are seeking sketch plan approval for Hampton Circle, to be located at 600 Independence Drive, Tax Map and Parcel 3-31-5.00-4.25 which consists of a 3-story, 36,000 sq. ft +/- low income senior apartment building with parking on a 6.28 acre parcel:

- Sketch Plan approval for a 3-story 36,000 sq ft. building - 35 units
- Tax Map & Parcel 331 5.00 4.25
- Lot area – 6.282 acres
- 71 parking spaces provided; 70 required
- Plans must be approved by the State Fire Marshal's office
- Meets R-3 High Density Residential requirements
- Plans must be submitted to Sussex Conservation, State Fire Marshal, and State Accessibility Board.
- Water / Sewer / Electric are available to service the project.
- Planning and Zoning to make a recommendation to Council

Mayor Butler then called for a motion. Councilwoman Peterson made a motion to approve the sketch approval for Hampton Circle to be located at 600 Independence Drive, Tax Map and Parcel 3-31-5.00-4.25 to consist of a 3-story low income senior apartment building. Councilwoman Jones seconded the motion; motion so passed with all present voting in favor.

Roll Call Vote:

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

Mayor Butler confirmed the motion on the floor passed with all present voting in favor.

New Business #1- City Manager Slatcher presented New Business #1, Present for approval the Blades District Sanitary Sewer Agreement. City Manager Slatcher stated that there were some changes such as the user may enlarge or revise the boundaries of the district in accordance with Chapter 65, Title 9, Delaware Code Annotated; it used to be that when an annexation was done it would have to be approved. The user may request expansion or revision of the District boundaries. Such expansion or revision shall be into areas that are within the boundaries of the Primary or Secondary Service Areas for the BLSSD as designed in the Sussex County Land Use Plan. This agreement will stay in effect until 2020 unless sooner terminated by mutual agreement of both parties hereto. The agreement also does not permit the purchase of any amount greater than 48,000 gallons of capacity in a single calendar year. There is also an increase to a 5% administrative charge and there is a treatment surcharge that can be added to the monthly charges in accordance with the formula given in the agreement. The agreement also states that there is a

capital construction reimbursement fee for each additional increment of 24,000 gpd ADF acquired by the User. The impact fee is 75% of the current sewer impact fee. A sampling schedule is in the agreement that states what has to be done that include some additional constituents that are being tested for at this time. The City Solicitor, James Fuqua has reviewed this agreement and approved it. Councilwoman Peterson made a motion to approve the Blades Sanitary Sewer Agreement as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

New Business #2 - City Manager Slatcher presented New Business #2, Request for approval for GMB to perform a study for the upgrade and expansion of the Seaford Composting Facility. This is just for the study to get ready for construction. The study will evaluate existing biosolids operation and provide budgetary construction costs, look at the use of existing biosolids dewatering and thickening equipment with disposal at a solid waste landfill under both a tipping fee and non-tipping fee arrangement. The study will also evaluate lime stabilization of biosolids to achieve Class B product and provide budgetary construction cost estimate of improvements for rated capacity of 3.0 MGD. A grant was received for this from the State; GMB is estimating that the cost of the study be 15,000. The grant was awarded up to \$25,000; the City will be responsible to pay of this cost so it would be a cost of \$7,500. Councilman Bennett made a motion to approve GMB to perform a study for the upgrade and expansion of the Seaford Composting Facility as submitted. Councilwoman Peterson seconded the motion; motion so passed with all present in favor.

New Business #3 – City Manager Slatcher presented New Business #3, Present for information from CWAC (Clean Water Advisory Council) on the outcome of a loan to Seaford for storm water improvements reference as the Washington Avenue Project. A grant was received to do the design work for this project and has been worked on since it was received. The project will start in Wilmur Village at State Street to pick up Linden and Washington and come down Stein Highway. It will then go down Front Street to pick up Walker Street and loop back up to catch all of North Street and also Collins Avenue which experiences a good amount of flooding. A new outfall will be created on the west side of the dam by Lifecare in order to take off some of the discharge. City Manager Slatcher added that there have been two insurance claims that have been in this area. The loan amount is for \$2,579,004 which includes engineering, an on-site inspector, construction and contingencies. This loan is being authorized with a 2% interest rate for 20 years. The annual debt service payment is \$157,090.22 and would be paid through the sewer fund. Without any growth using current EDUs of 3,680.30 the estimated annual rate for debt service would be \$42.68 or \$3.56 per month per EDU billed. Staff is looking for Council's approve to move forward to engage the law firm of Saul Ewing to prepare the necessary public referendum for a vote and to prepare all of the necessary resolutions. Councilman Bennett made a motion to approve the City Manager to engage Bond Counsel – Saul Ewing to prepare the necessary resolutions to hold a public referendum for the Washington Avenue Storm water Project. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

COMMITTEE REPORTS

Councilman Bennett – the electric department is doing tree trimming and working on the lights in Westview. The fire department had its first major fire in awhile at Cannon Hall a few weekends ago.

Councilman Shannon – Officer Saylor started his 16th week in the academy.

Councilwoman Phillips-Lowe – nothing to report.

Councilwoman Jones – nothing to report.

Councilwoman Peterson – the phone system has been completed for Scott out to the recreation building.

With no further comments, Mayor Butler called for a motion to adjourn the Regular Meeting of Mayor and Council and move into an executive session. Councilwoman Phillips-Lowe so moved. Councilwoman Peterson seconded the motion and the motion so carried with all present in favor. Mayor Butler closed the Regular Meeting at 7:44 p.m.

Dolores Slatcher, City Manager

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