

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

December 14, 2010

7:00 p.m.

Mayor Edward H. Butler, Jr., called the Regular Meeting to order with the following present: Councilman J. Rhea Shannon, Councilwoman Leanne Phillips-Lowe, Councilwoman Pat A. Jones, Councilwoman Grace S. Peterson, and Councilman William G. Bennett. Dolores J. Slatcher, City Manager, Sharon Drugash, RE/PR Manager, Gary Morris, Chief of Police, Rick Garner, Director of Power, Charles Anderson, Assistant City Manager and Josh Littleton, Building Official, were also present.

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

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

Mayor Butler called for a motion to approve the Minutes of the Regular Council meeting of November 23, 2010. Councilman Bennett made the motion to approve the Minutes of November 23, 2010. Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

Mayor Butler then turned the meeting over to Chief Morris who asked Patrolman William Saylor to come forward. Officer Saylor was then sworn in as a Seaford Police Officer who will graduate from the Police Academy on December 17, 2010 by Mrs. Sharon Drugash.

Mayor Butler closed the regular meeting and opened the Public Hearing at 7:07 p.m. He then turned the meeting over to Josh Littleton, Building Official.

Public Hearing #1 - Mr. Brad Whaley, Assistant Director from the Sussex County Community Development and Housing Division came forward. He explained that a public hearing is held in order to explain the guidelines of the program. The funds are from the urban development and are applied for by the different counties. He stated that there is about \$2 million this year for use. The program uses the money for demolitions, water and sewer hook ups, small infrastructure and house rehabilitations. This program is designed for the low to moderate income range; he explained that the current guidelines are \$32,700 for a one person household and \$46,700 for a four person household. The house must be owner occupied; however, he explained that there is also another program where an owner can get a 3% loan in order to do repairs on a rental home. The house must be insured and the taxes must be current. Mr. Whaley explained that a lien is placed on the property and depending on the age of the owner is how long the lien lasts. He added that if a demo project is done that a permanent lien is placed on the property. Mr. Whaley stated that there are currently 34 houses that have been done for the City of Seaford and there are currently 17 people on the waiting list. Mr. Whaley asked for any questions, there were none.

Mr. Littleton presented P.H. #2, the request from E. Gray Investments, LLC. Property owner of 330 Market Street (Tax Map and Parcel 331 5.00 54) and 332 Market Street (Tax Map and Parcel 331 5.00 55) who is seeking approval to realign the property line in order to create two lots in compliance with the R-2 lot widths. The property is currently zoned R-2 Medium Density Residential. The property owner would like to relocate the center lot line between two existing parcels in order to create two (2) lots which will comply with the R-2 area & bulk requirements. There is an existing house that will be demolished.

Mayor Butler asked if there were any questions from the public. There were none. Mayor Butler then asked if there were any questions from Council. There were none.

Mr. Littleton presented P.H. #3, an application from Better Homes of Seaford, Inc. who is seeking a preliminary plan review and approval for Hampton Circle, to be located at 600 Independence Drive, Tax Map and Parcel 3-31-5.00-4.25. The land is currently owned by the City of Seaford. The project consists of a 3-story, 36,000 sq. ft +/- low income senior apartment building with parking on a 6.28 acre parcel. Mr. Littleton explained that the land is zoned R-3 High Density Residential and the property is located to the north of Yorktown Woods. Mr. Littleton explained that stormwater will be managed on site and will outfall to the Herring Run Branch through the existing adjacent ditch. There will be 71 parking spaces provided and water and sewer is available for connection. This project will extend Water/Sewer & Electric services to the East for future development. Mr. Littleton stated that the project is outside of the wellhead protection area and has been submitted to the State Fire Marshal and Sussex Conservation District.

Mayor Butler asked if there were any questions from the public. There were none. Mayor Butler then asked if there were any questions from Council. Councilman Bennett stated that he still has the same concern about the fire department having access to the back side of the building. There is a dumpster access to the side of the building which blocks more room for the fire department. He would like to see them consider a forestry lane for the project as an option to allow them access to the back of the building.

Mayor Butler asked if there were any further questions. There being none, he closed the Public Hearing at 7:23 p.m. and reopened the Regular Meeting.

Mr. Littleton then presented the Findings of Facts for the P.H. #2 on the Agenda, a request from E. Gray Investments of 330 Market Street (Tax Map and Parcel 331 5.00 54) and 332 Market Street (Tax Map and Parcel 331 5.00 55) for approval to realign the property line to create two lots in compliance with the R-2 lot widths:

- Tax Map & Parcel #431-5.00-54 & 55
- Located at 330 & 332 N. Market Street
- Zoned R-2 Medium Density Residential
- Relocation of the center lot line between two existing parcels in order to create two (2) lots which will comply with the R-2 area & bulk requirements

Existing house to be demolished.

Mayor Butler called for a motion. Councilwoman Peterson made a motion to approve the request from E. Gray Investments of 330 Market Street (Tax Map and Parcel 331 5.00 54) and 332 Market Street (Tax Map and Parcel 331 5.00 55) to realign the property line to create two lots in compliance with the R-2 lot widths. Councilwoman Phillips-Lowe seconded the motion.

Mayor Butler then called for a Roll Call Vote:

Councilman Bennett voted in favor based on the Finding of Facts;
Councilman Shannon voted in favor based on the Finding of Facts;
Councilwoman Phillips-Lowe voted in favor based on the Finding of Facts;
Councilwoman Jones voted in favor based on the Finding of Facts;
Councilwoman Peterson voted in favor based on the Finding of the Facts.

Motion so carried with all present voting in favor.

Mr. Littleton then presented the Findings of Fact for P.H. #3, an application from Better Homes of Seaford, Inc. who are seeking a preliminary plan review and approval for Hampton Circle, to be located at 600 Independence Drive, Tax Map and Parcel 3-31-5.00-4.25. The project consists of a 3-story, 36,000 sq. ft. +/- low income senior apartment building with parking on a 6.28 acre parcel lot.

- Preliminary Plan approval for a 3-story, 36,000 sq ft. building with 35 units
- Tax Map & Parcel 331 5.00 4.25
- Lot area – 6.282 acres
- 71 parking spaces provided; 70 required
- Meets R-3 High Density Residential requirements
- Plans have been submitted to Sussex Conservation District & the State Fire Marshal for Site Plan Approval

Water / Sewer / Electric are available to service the project.

Mayor Butler called for a motion. Councilman Bennett made a motion to approve the preliminary plan review for Hampton Circle to be located at 600 Independence Drive, Tax Map and Parcel 3-31-5.00-4.25, a 3-story, 36,000 sq. ft. +/- low income senior apartment building with parking on a 6.28 acre parcel. Councilwoman Jones seconded the motion.

Mayor Butler then called for a Roll Call Vote:

Councilman Bennett voted in favor based on the Finding of Facts;
Councilman Shannon voted in favor based on the Finding of Facts;
Councilwoman Phillips-Lowe voted in favor based on the Finding of Facts;
Councilwoman Jones voted in favor based on the Finding of Facts;
Councilwoman Peterson voted in favor based on the Finding of the Facts.

Motion so carried with all present voting in favor.

Mayor Butler called for a motion to approve the necessary resolutions to allow Sussex County to file the grant request on behalf of the City of Seaford for the Delaware Community Block Grant. A motion was made by Councilman Shannon to approve all of the resolutions associated with the housing block grant in order to receive the funding for the City of Seaford. Councilman Bennett seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #1, Present bids and recommendation for new Electric pick-up truck. The City received four bids for the truck with the low bidder being Hertrich Fleet in the amount of \$17,445 to include the trade in of the 1997 GMC Pick-up truck. The recommendation is to accept their bid with the trade in for the truck. Councilman Bennett made a motion to accept the bid from Hertrich Fleet in the amount of \$17,445 with the trade-in of the old truck. Councilman Shannon seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #2, Present for approval the recommendation to continue certain fee reductions for calendar year 2011. She explained that at the beginning of 2010 certain fee rollbacks were set for the first 10 single family residential units built in the calendar year. It is being recommended that the fee rollback remain in effect for calendar year 2011 for the first 11 single family residential units built new. Mr. Littleton explained that there was a significant savings for the developers in 2010 that used this incentive of about \$35,150. City Manager Slatcher added that this is recommended in order to encourage development, create jobs and increase revenues during this economy. Councilman Bennett made a motion to approve the recommendation to continue certain fee reductions for calendar year 2011 for the first 11 single family residential units as presented by staff. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #3, Present for approval the grant of easement and perpetual care for improvements as part of the Washington Street Storm Drain Upgrade with Our Ladies of Lourdes RC Church. Rain gardens and some

pervious pavers will be installed on their property. This will require some annual parking lot sweeping and some minor maintenance to allow this area to continuously drain. City Manager Slatcher explained that they will be placed in the parking lot, the rain gardens will be put back in the corner closer to Washington Avenue. Councilwoman Phillips-Lowe made a motion to approve the grant of easement and perpetual care for improvements as part of the Washington Street Storm Drain Upgrade with Our Ladies of Lourdes RC Church. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #4, Present for approval Change Order #8 for ARRA Water Main upgrades. City Manager Slatcher stated that this change order is in the amount of \$388,325.45. Three new areas were picked up that are going to have water loops completed. These areas include Nylon Blvd.(\$241,329.85), Cypress Drive (\$44,293.10) and School Lane(\$102,702.50). Councilwoman Peterson made a motion to approve Change Order #8 for the ARRA Water Main upgrades in the amount of \$388,325.45. Councilman Bennett seconded the motion; motion so passed with all voting in favor.

City Manager Slatcher presented New Business #5, Present for approval a request for plans approval extensions for Home Team Properties, LLC (Phase 2) and S & L Contractor's (PID # 4851). She added that B.G. Joseph, Inc - (Route 13 property) did not submit a letter therefore they should not be considered. Mr. Littleton stated that these are both for final reviews. Councilman Bennett made a motion to approve the request for extension for Home Team Properties, LLC (Phase 2) and S & L Contractor's (PID #4851) for a two year period. Councilwoman Jones seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #6, Request to do repairs to the Utility Building Roof and Gutters, a non-budgeted expense for the roof. City Manager Slatcher stated that two quotes were received from Regional Builders and Peninsula Roofing Company. Regional Builders was the low quote in the amount of \$11,596.74. She stated that there are some leaks in the roof, the gutters were in the budget for this year. It is being recommended to accept Regional Builders quote in the amount of \$11,596.74, using money for the FY11 Building & Grounds (\$5,200), the saving from the pickup truck bid (\$4,500) and the balance of the building and grounds (\$1,896.74). Councilman Bennett made a motion to award the project to Regional Builders in the amount of \$11,596.74 for the repairs to be done at the Utility Building using the funds as presented by staff. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING OF NEW MEETINGS:

- Police Department Christmas Breakfast with elected officials on Thursday, December 16th @ 8 a.m. at Pizza King
- Downtown Seaford Association Dinner @ 6:30 p.m. at Spuck Bennett's house on Nylon Blvd
- City Offices are closed for the Christmas Holiday on December 23rd and 24th
- City Offices are closed for New Year's Day on Friday, December 31st

COMMITTEE REPORTS:

♦ Councilwoman Peterson wished everyone a Merry Christmas. She thanked the electric department and Dolores for coming in on Thanksgiving Day to help restore the electric. She stated that she had a good time at the Christmas party. The leaf machine will be running until December 31st after that leaves will need to be bagged. She added that anyone who is interested in the Main Street program they will be meeting on the first Tuesday of the month starting at 6:30 p.m. at City Hall. She

added that WW has compost for sale and she thought that Berley did a great job as Acting City Manager while Dolores and Charles were out.

♦ Councilwoman Jones reported that NLC was a good conference this year and she had a good time. Scott Coulbourn celebrated his 25 years of service this year. The parks department is currently working on winterizing the City. She reported that Scott has recently registered again for the punt, pass and kick program. He is currently working on applying for a grant from the lung association. She added that Darnell Savage is currently doing the basketball try outs.

♦ Councilwoman Phillips-Lowe thanked everyone who came in to help with the electric outage on Thanksgiving Day. She stated that City staff has a number of people out for different reasons and everyone has been busy. She wished everyone Happy Holidays.

♦ Councilman Shannon reminded everyone that the Police Department Christmas Breakfast was this Thursday starting at 8 a.m. at Pizza King. Officer Saylor will graduate from the police academy this Friday at 2 p.m. He wished everyone a Merry Christmas.

♦ Councilman Bennett reported that the Electric Department all came in to work on Thanksgiving Day for the outage. He thanked them along with Dolores, Sharon and Tina who all came in on the holiday. He thanked the City for allowing him the opportunity to attend the NLC conference. The electric department has had some problems with the induction lights in Westview; they are currently waiting on parts from a vendor. The fire department had elections last week and those people will be sworn in on January 12th.

City Manager Slatcher wished everyone a Merry Christmas and Happy New Year. She added that some information that was given at the NLC conference will be used in the planning session this year.

Mayor Butler requested a motion to hold an Executive Session for the purpose of discussing negotiations. Councilwoman Phillips-Lowe made a motion to hold an Executive Session for the purpose of discussing negotiations. Councilwoman Jones seconded the motion, with all present voting in favor.

Mayor Butler closed the regular meeting at 8:05 p.m.

Immediately following the Executive Session at 8:52 p.m. Mayor Butler reopened the regular meeting of the Mayor and Council. He called for a motion to close the regular meeting. A motion was made by Councilwoman Phillips-Lowe to close the regular meeting. The motion was seconded by Councilman Bennett and so carried with all present voting in favor.

By: _____
Dolores J. Slatcher, City Manager

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