

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

January 25, 2011

7:00 PM

Mayor Edward H. Butler, Jr., called the Regular Meeting to order with the following present: Councilwoman Grace S. Peterson, Councilwoman Pat A. Jones, and Councilman J. Rhea Shannon. Dolores J. Slatcher, City Manager, Charles Anderson, Assistant City Manager, and Josh Littleton, Building 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 that there was one change, the removal of Public Hearing item # 1, Better Homes of Seaford, Inc., seeking final plan review and approval for Hampton Circle. She said that this was postponed as Better Homes of Seaford, Inc. had not been to Planning and Zoning. Mayor Butler called for a motion to approve the change to the agenda. Councilman Shannon made the motion to approve the change to the agenda. Councilwoman Peterson seconded the motion. The motion so passed with all present voting in favor.

Mayor Butler called for a motion to approve the Minutes of the Regular Meeting of January 11, 2011. Councilwoman Jones made the motion to approve the minutes of January 11, 2011. Councilman Shannon seconded the motion. The motion so passed with all present voting in favor.

Mayor Butler read a proclamation, declaring January as "National Mentoring Month". Kim Trivits came forward to accept the proclamation and speak about her organization, Kids Connection Mentoring Program, which is a part of the Delaware Adolescent Program, Inc. She said that the government-funded pilot program started in Laurel in 2007, and expanded to other communities in 2010, including Seaford Middle School. She explained that the students who are mentored through this program improve their test scores and GPAs, are less likely to get into trouble, and benefit greatly from having one-on-one time with a caring adult. She distributed mentoring packets, and invited anyone interested in becoming a mentor to contact her for more information.

Mayor Butler asked Milt Brunner, Chairman of the High Street Renewal Committee, to come forward. Mr. Brunner stated that the Committee wished to recognize Abacus Thrift & Gift for their Christmas window treatment. He said that it was well done and looked great for the holiday season. He called forward Maureen Stanton, who accepted the certificate of recognition on behalf of her family and their store.

Mayor Butler asked Berley Mears, Director of Public Works to come forward to introduce two new employees in the Public Works department. Mr. Mears introduced Billy Davis, who started on November 8, 2010, and Chris Gibbons, who started on January 3, 2011. City Manager Slatcher welcomed the new employees and wished them success.

Mayor Butler asked if there was any correspondence. City Manager Slatcher stated that there was none.

Mayor Butler closed the Regular Meeting and opened the Public Hearing at 7:15 p.m. He then turned the meeting over to Josh Littleton, Building Official.

Public Hearing # 1 – Removed from agenda.

Public Hearing # 2 – Mr. Littleton presented Public Hearing # 2, the request from 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 a final plan review and approval for the renovation of five residential buildings; construction of a new multi-purpose community building; and construction of a separate maintenance building. He said that Tom Ayd and David Layfield were present to answer any questions about the project. Mr. Littleton stated that the renovations to the five residential buildings will include adding patios and balconies, energy efficient windows and doors, and the demolition of the existing office and maintenance room. A new multi-purpose community building will be constructed for the tenants, new playground equipment will be installed on the existing tot lot, and a new maintenance building will be constructed. The renovations will increase the number of accessible units to 20% and will meet current accessibility code, including public areas, parking spaces, and laundry and playground facilities. There will be no change in the number of parking spaces since the community building is for the use of residents only. Mr. Littleton stated that the project meets the R-3 Area and Bulk requirements, and was granted a setback variance by the Board of Adjustment on October 6, 2010. He said that it has received approvals from the State Fire Marshal, Sussex Conservation District, and State Accessibility Board for the site. Mr. Littleton explained that internal city staff raised concerns over any additional stormwater discharge from this site and the effects downstream to the Porter Street System, which is already overburdened and in need of upgrades. Staff brought this to the attention of the Engineer and SCD, and a revision has been designed to include a retention pond. He said that this will result in no additional runoff during the 2, 10 and 100 year storm events, and will reduce the current rate of discharge. There will be a small fence around the pond for safety purposes. SCD issued an approval on the project before being made aware of the problem, but will be reviewing the revised plans. The Engineer is waiting on infiltration testing, the results of which will be incorporated into the design. Infiltration for groundwater recharge will be achieved through a series of drywells elsewhere on the site. Mr. Littleton stated that due to the necessary revisions, and in order to keep the project moving forward, staff is recommending final approval, with the stipulation that a revised approval from SCD be obtained prior to any permit issuance.

Councilwoman Peterson asked Mr. Littleton what he meant by a small fence. Mr. Littleton said that he thought it would need to be 4 feet high, and would probably be some type of chain link fence. Mr. Layfield said that if a fence was erected around the pond would depend on whether or not the pond will be wet. If it is a wet pond, there will be a decorative fence around it, which would match the decorative fencing that will be erected around the complex as part of the renovations.

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

Mayor Butler asked if there were any questions from the public. There being none, he closed the Public Hearing at 7:22 p.m. and reopened the Regular Meeting.

Mr. Littleton then presented the Finding of Facts for Public Hearing # 2, request from Greenside Manor Associates, L.P. of 216 Tulip Place, Tax Map and Parcel 5-31-10.18-101.06:

- Final plan review for site renovations and rehabilitation of the 5 existing apartment buildings
- Construction of a new community building
- Construction of a new maintenance building
- Installation of new playground equipment on for the existing tot lot
- Approved by Sussex Conservation District, however recent revisions are under review
- Site approved by State Fire Marshal
- Staff recommends approval with the stipulation that Sussex Conservation District issue an updated approval based on the stormwater system revisions
- Planning and Zoning made a favorable recommendation

Mayor Butler called for a motion. Councilman Shannon made the motion to approve final plans for Greenside Manor Apartments, Tax Map and Parcel 5-31-10.18-101.06 for the renovations of five residential buildings and the construction of a new multi-purpose community building and a

separate maintenance building, with the stipulation that Sussex Conservation District gives final approval following their review of plans. Councilwoman Jones seconded the motion.

Mayor Butler called for a Roll Call Vote:

Councilman Shannon 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 Facts.

The motion so carried with all present voting in favor.

New Business # 1 – City Manager Slatcher presented New Business # 1, present for approval the resolution authorizing the issuance of up to \$2,579,004 in General Obligation Bonds for the Washington Avenue Storm Water Improvements Project and possibly the Porter Street Area Storm Water Improvements and setting the date, time and place for the public hearing. She explained that the Washington Avenue Project would entail the installation of a new system in Wil-Mar Village, which would flow through the Catholic Church, across Stein Highway, down Front Street, Walker Street, North Street, Collins Avenue, King Street, and discharging into the Nanticoke River on the west side of the dam, which will give relief to the east side of the dam. She said that the system is designed to withstand the 100 year storm, and will correct the immediate problems on Collins Avenue and in Wil-Mar Village. The second part of the resolution, provided there are sufficient funds, would entail the installation of a new system, starting on Pennsylvania Avenue, going south on Porter Street, east on Harrington Street, south on Delaware Avenue, and connecting to the existing outfall, with some improvements being made along the river to the outfall itself. City Manager Slatcher said that the design for the Porter Street Project is only about 70% complete, but that it needed to be added to the resolution so that a date could be set for a public hearing. She said that there was a binding commitment letter executed with the state that the projects would be done with SRF funds at 2% for 20 years, with no closing costs. If the resolution were approved, the public hearing would be set for February 22, 2011 at 7:05 p.m. in the Council Chambers, with a referendum to follow for the public to vote on these projects. If the referendum passed, the Washington Avenue Project would go out to bid. Mayor Butler asked if there were any questions. Councilwoman Peterson asked to see the picture overview of the Washington Avenue Project. She asked what the different color codes meant. City Manager Slatcher explained that the different colors represented different pipe sizes. She said the pipes in Wil-Mar Village will be smaller, with the pipes becoming larger as they travel downstream and pick up more flow. She added that the color codes weren't done on the picture overview of the Porter Street Project as the design was not yet complete, but that the outfall would be a 42-inch pipe. Councilwoman Jones asked where the Washington Avenue Project would start. City Manager Slatcher said that the project would start at the dam and work back to Wil-Mar Village, with the biggest challenge being at Stein Highway. She explained that the numbered areas on the chart would be where rain gardens would be created. Councilman Shannon asked if the streets would be dug up as part of the work. City Manager said that they would. She said that the City was unable to obtain a right of way from a property owner, and so the work has to stay in the roadways, which will create problems at the intersection of Stein Highway and Front Street, and will make the project more expensive and more time-consuming. Councilman Shannon asked if the project would be replacing existing storm drains. City Manager Slatcher stated that presently there are few storm drains in Wil-Mar Village, which is part of the problem. She said that there are storm drains on Stein Highway, but they are not enough to carry the flow. Councilwoman Peterson asked if the project will prevent flooding. City Manager Slatcher said that the potential for flooding will be greatly diminished, especially on Collins Avenue, where there have been many complaints about flooding. She said that all necessary easements are in place. With no further questions, Mayor Butler called for a motion. Councilwoman Jones made the motion to approve the resolution authorizing \$2,579,004 in General Obligation Bonds for the Washington Street and Porter Street Storm Water Improvements Project setting February 22, 2011 at 7:05 p.m. in the Council Chambers for the public hearing.

Councilwoman Peterson seconded the motion. The motion so passed with all present voting in favor.

New Business # 2 – City Manager Slatcher presented New Business # 2, present for approval the resolution setting the date, time, and place for the annexation of lands owned by the State of Delaware National Guard. She said that the date would be February 22, 2011 at 7:05 p.m. in the Council Chambers. Mayor Butler called for a motion. Councilwoman Peterson made the motion to approve the resolution to hold a public hearing on February 22, 2011 at 7:05 p.m. in the Council Chambers for the purpose of annexing lands owned by the State of Delaware National Guard. Councilman Shannon seconded the motion. The motion so passed with all present voting in favor.

New Business # 3 – City Manager Slatcher presented New Business # 3, present for approval the permit with the Delaware Solid Waste Authority for the Seaford Wastewater Treatment Plant to treat their leachate. She explained that DSWA had requested that the Seaford Wastewater facility treat their leachate, but that the City wished to conduct some tests and trial runs to ensure that the plant would not be negatively impacted in the process. The tests have been performed and lab results returned, and the City is now confident that the plant can handle the leachate. Currently, DSWA is trucking the leachate to Wilmington, and are seeking a location closer to the Jones Crossroads, where the leachate is coming from. If the treatment is successful, DSWA may make some improvements to the infrastructure from Jones Crossroads to Seaford so that a larger volume may be treated. The City has written up a permit with DSWA, which has clauses that would allow the City to opt out of the permit should the treatment impact the Wastewater facility negatively in any way. The permit also includes a schedule for leachate monitoring, insurance regulations, testing parameters, method of delivery, and cost of treatment, which will be \$0.013 per gallon. City Manager Slatcher said that this is an opportunity for the City to bring in revenue that can be set aside for the expansion of the Wastewater Treatment Plant at a later date. She stated that the rate of delivery of the leachate is not to exceed 126,000 gallons per week. Mayor Butler asked when the treatment would start. City Manager Slatcher said that the treatment would begin as soon as the permit was executed between both parties and DSWA was ready to deliver the first batch. Councilman Shannon asked where Jones Crossroads is. City Manager Slatcher said that it is the site of the DSWA landfill. Mayor Butler called for a motion. Councilwoman Peterson made the motion to approve the permit with the Delaware Solid Waste Authority for the Seaford Wastewater Treatment plant to treat their leachate. Councilman Shannon seconded the motion. The motion so passed with all present voting in favor.

Reminder of Meetings

- Delaware League of Local Governments – Thursday, January 27th at 6 p.m. at the Sheraton in Dover
- Municipal Street Aid Committee – Thursday, January 27th at 4 p.m. at Del DOT in Dover – Canceled, next meeting will be February 10th
- High Street Renewal Committee – Tuesday, February 1st at 6:30 p.m. in Council Chambers

COMMITTEE REPORTS

Councilman Shannon reported that everything is running smoothly at the Police Department. He thanked everyone that attended the Awards Ceremony, which was a success.

Councilwoman Jones reported that the Recreation Department had a flyer in the Money Mailer, which advertised spring programs for basketball, softball, and volleyball. She said

that Scott has also been working on starting a new dodgeball program. She reported that that the Parks Department has been busy trimming trees and bushes throughout the city.

Councilwoman Peterson reported that the Riverfest Committee held their first meeting, and this year's Riverfest will be held July 7th, 8th and 9th. She said that Hooper's Landing is sending out flyers with prices for the 2011 season. She added that several departments have been working on their budgets.

City Manager Slatcher stated that the Nanticoke Senior Center will hold their groundbreaking on February 11th at 2 p.m.

Mayor Butler reported that he had attended the groundbreaking at Hooper, which was a success. He said that their new facility is very nice, and is large enough to hold four combines. He added that both the Martin Luther King Jr. Celebration and the Police Department Awards Ceremony were successful and well attended.

With no further comments, Mayor Butler called for a motion to adjourn the Regular Meeting of Mayor and Council. Councilman Shannon so moved. Councilwoman Peterson seconded the motion and the motion so carried with all present voting in favor. Mayor Butler closed the Regular Meeting at 7:48 p.m.

Dolores Slatcher, City Manager

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