

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

July 24, 2012

7:00 PM

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

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

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

Mayor Bennett called for a motion to approve the Minutes of the Regular Meeting of July 10, 2012. Councilwoman Peterson made the motion to approve the minutes of July 10, 2012. Councilman Genshaw seconded the motion. The motion so passed with all present voting in favor.

Mayor Bennett asked if there was any correspondence. City Manager Slatcher said that there was none.

City Manager Slatcher presented New Business # 1, present for approval the proposed agreement with George, Miles and Buhr for the design of storm water quality enhancement retrofits. She explained that this proposal is for work on Virginia Avenue, with changes being made to the ponds at the Shipley State Service Center and the Boys & Girls Club, as well as cleanup of the City-owned pond near the track. The total estimated cost of the project is \$23,000, which is being funded through a grant.

Mayor Bennett solicited any questions. There being none, he called for a motion. Councilwoman Phillips-Lowe made the motion to approve the Agreement with George, Miles and Buhr for the Pond Retrofits for Storm Water Quality Enhancement project to improve storm water management in the Virginia Avenue area in the amount of \$23,000 to be paid for from the Community Water Quality Incentive Grant Program. Councilwoman Jones seconded the motion. The motion so passed with all present voting in favor.

City Manager Slatcher presented New Business # 2, present for approval the License Agreement for the Fiber Optic Telecommunications Cable and Right-of-Way Lease Agreement with Cavalier Telephone, LLC, a Windstream Company. She explained that this agreement started in the late 80s when Cavalier was owned by Delmarva Power. She said that the poles run down King Street and Virginia Avenue, and that there are less than 30 poles involved in the agreement. It is a service that is independent from Verizon and AT&T. She explained that this is the agreement to attach to the poles, as well as the right-of-way agreement for occupancy within the City's street right-of-way.

Mayor Bennett solicited any questions. Councilwoman Peterson asked about the fees charged in the agreement. City Manager Slatcher explained that per the Fiber Optic Telecommunications Cable Agreement, the City would receive \$925.80 in 2012, increasing each year up to \$1,436.25 in 2021. Per the Right-of-Way Agreement, the City would receive \$694.35 in 2012, increasing each year up to \$1,077.17 in 2021.

Mayor Bennett then called for a motion. Councilwoman Peterson made the motion to approve the License Agreement – Fiber Optic Telecommunications Cable and the Right-of-Way Agreement with Cavalier Telephone, LLC, a Windstream Company, as presented. Councilman Genshaw seconded the motion. The motion so passed with all present voting in favor.

Mayor Bennett closed the Regular Meeting at 7:06 p.m. and opened the Public Hearing.

Charles Anderson, Assistant City Manager, presented Public Hearing # 1, Case # S-12-12, the request of the City of Seaford, property owners of Tax Map and Parcel 331-5.00-4.00 located in Ross Business Park. The City is seeking to subdivide 2± acres, Parcel A consisting of 1.9725± acres and Parcel B consisting of 0.0613± acres from the larger parcel. The adjoining property owner wishes to purchase the two parcels and combine with Tax Map and Parcel 331-5.00-4.17. He explained that the adjoining property houses the FedEx facility, which is currently undertaking an expansion. The property consists of just over 16 acres, which falls short of the acreage required for the expansion.

Mayor Bennett solicited any questions from the public; there were none. He then solicited any questions from Council; there were none.

Mayor Bennett closed the Public Hearing at 7:08 p.m. and reopened the Regular Meeting.

Mr. Anderson presented the Findings of Fact for Case # S-12-12:

- Property is located on Venture Drive
- The City is seeking to subdivide 2± acres, Parcel A consisting of 1.9725± acres & Parcel B consisting of .0613± acres from the larger parcel. The adjoining property owner wishes to purchase the two parcels and combine with Tax Map and Parcel 331-5.00-4.17
- In order to meet the Zoning Ordinance, the subdivision would be contingent on sale of lands and combining the land area with the adjacent parcel.
- Planning and Zoning made a favorable recommendation to Council

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made the motion to approve the request of the City of Seaford, property owner of lands in Ross Business Park, Tax Map and Parcel # 331-5.00-4.00 to subdivide 2± acres, being Parcel A consisting of 1.9725± acres and Parcel B consisting of 0.0613± acres from the larger parcel. Councilwoman Jones seconded the motion.

Mayor Bennett then called for a Roll Call Vote:

Councilwoman Peterson voted in favor based on findings of fact;

Councilwoman Jones voted in favor based on findings of fact;
Councilwoman Phillips-Lowe voted in favor based on findings of fact;
Councilman Shannon voted in favor based on findings of fact;
Councilman Genshaw voted in favor based on findings of fact.

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

City Manager Slatcher presented Old Business # 1, present for the second reading and adoption the following Code Ordinances:

- a. Ordinance #2012-02 Sewers
- b. Ordinance #2012-03 Water
- c. Ordinance #2012-04 Vegetation

Mayor Bennett solicited any questions. There being none, he called for a motion. Councilwoman Phillips-Lowe made the motion to adopt Ordinance #2012-02 Sewers; Ordinance #2012-03 Water; and Ordinance #2012-04 Vegetation as presented in the second reading. Councilwoman Peterson seconded the motion. The motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- AFRAM on August 10th and 11th at the Sports Complex on Market Street

COMMITTEE REPORTS

Councilman Genshaw reported that the Parks Department has been busy as there have been some employees out. He said that there is an upcoming website review meeting to look for ways to improve communication and access on the Parks and Recreation Department's website.

Councilman Shannon reported that the Police Department was busy with Riverfest support. He said that the Department had also responded to a recent robbery at the Royal Farms on High Street. He had nothing to report for the Fire Department.

Councilwoman Phillips-Lowe reported that the Code Department has been busy sending out violation letters and issuing work orders to correct those violations. She said that they have also been busy issuing building permits. They have been working on site plan reviews for 7-11, FedEx and Lifecare at Lofland Park. She reported that everything is running smoothly at the WWTF. She reported that there is paving which will be taking place on Nylon Blvd., Locust St., Oak St. and Pennsylvania Ave. She said that the Washington Street Stormwater Project is moving forward and going well. She commended the Riverfest Committee and all the City employees for all their hard work in making this year's Riverfest a success. She added that she had heard a lot of positive feedback about various events.

Councilwoman Jones reported that everything is running smoothly in the Administration Department, and that June has been busy preparing for the annual audit, which will be the first week of September. She said that she thought this year's Riverfest was a success, and added that she liked the fact that there was more entertainment on the City Hall steps. She invited everyone to come out to the AFRAM Festival. She said that this year's event preparation has been challenging because of a limited budget and change of venue, but she is looking forward to the 15th Annual AFRAM Festival being a success.

Councilwoman Peterson reported that the contractor who has been working to trim trees in Westview has finished up, and that the Electric crew is now working to remove some of the smaller trees and limbs. She said that a recent oil sample analyzed from the transformer at the central substation showed high levels of combustible gases, and that the Electric Department is working with Downes Associates to address this issue. She added that she had received a lot of positive comments about Riverfest; people enjoyed the Float-In and thought that the vendors and entertainment downtown were well organized.

With no further comments, Mayor Bennett called for a motion to close the Regular Meeting of Mayor and Council. Councilwoman Phillips-Lowe so moved. Councilwoman Peterson seconded the motion and the motion so carried with all present voting in favor. Mayor Bennett closed the meeting at 7:23 p.m.

Dolores Slatcher, City Manager

/ebc