

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

March 26, 2013

7:00 p.m.

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

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

Mayor Bennett solicited changes to the agenda. City Manager Slatcher stated there was one addition, New Business #5, a recommendation to purchase a 100kW portable generator.

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made a motion to approve the amended agenda. Councilman Shannon seconded the motion, with all voting in favor.

Mayor Bennett called for a motion to approve the Minutes of the Regular Council meeting of March 12, 2013. Councilwoman Jones made the motion to approve the Minutes of the March 12, 2013 Regular Council meeting. Councilwoman Peterson seconded the motion. Motion so passed, with all present voting in favor.

Mayor Bennett then asked for any correspondence. City Manager Slatcher stated there was none.

City Manager Slatcher presented New Business #2, trash bids. She stated we received three bids. The low bidder was Allied Waste with a monthly rate of \$795.00 including the Alternate A (SVFD). The recommendation from Scott Coulbourn, Parks Superintendent, is to award the bid to Allied Waste. They have provided our trash pickup in the past and have done a great job.

Mayor Bennett called for a motion. Councilman Genshaw made a motion to award the trash bid to the lowest bidder, Allied Waste as per their bid dated March 19, 2013. Councilman Shannon seconded the motion. Motion so passed, with all present voting in favor.

Mayor Bennett then closed the Regular Council meeting and opened the Public Hearing at 7:05 p.m.

Josh Littleton, Building Official, presented Public Hearing #1, Case No. S-02-13: Stein Highway Church of God, the property owners of 413 N. Arch Street, Tax Map and Parcel #4-31-5.00-31, is seeking to reduce the rear lot depth to 20 ft. and combine the residual area with Tax Map and Parcel 4-31-2.00-5.00 (also owned by the church). He stated currently there is a playground on the rear of the property and does connect to the main Church property. They are proposing to subdivide off the area that has the playground and combine

that with the main Church parcel. The setbacks would meet the R-2 zoning regulations. The remainder of the lot meets the minimum lot area requirements. Both properties are zoned R-2. The Church plans to put the property up for sale if this is approved. There is a shed that would be demolished and the fence would be finished off so the playground would be completely enclosed.

Mayor Bennett asked for questions from the public. There were none.

Mayor Bennett asked for questions from Council. Mayor Bennett asked if the Church planned to extend the fence to Arch Street. Mr. Littleton stated he talked to the Pastor about possibly doing that. It's not a requirement, but that we do recommend doing that to define the limits of the property.

Mayor Bennett closed the Public Hearing and reopened the Regular Council meeting at 7:10 p.m.

Mr. Littleton presented the Findings of Fact

- Realignment of lot lines;
- Property is located at 413 N. Arch Street and is identified as Tax Map and Parcel 431-5.00-31;
- Reduce rear yard setback to 20 ft.;
- Proposed lot area: 5,391 sq. ft.;
- Property is zoned R-2 Medium Density Residential;
- The proposed change complies with the area & bulk regulations for the district;
- Residual lands to be combined with Tax Map and Parcel 431-2.00-5.00, also owned by the Church; and,
- Planning and Zoning made a favorable recommendation to Council.

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made a motion to approve the Stein Highway Church of God's request to reduce the rear lot depth to 20 feet at 413 N. Arch Street, Tax Map and Parcel #4-31-5.00-31 and combine the residual area with their Church property being Tax Map and Parcel 4-31-2.00-5.00 to be properly recorded with the Sussex County Recorder of Deeds showing the changes to the two parcels. Councilwoman Jones seconded the motion. Motion so passed, with all present voting in favor.

Mayor Bennett then called for a Roll Call Vote:

Councilman Genshaw voted in favor based on the Findings of Facts;
Councilman Shannon voted in favor based on the Findings of Facts;
Councilwoman Phillips-Lowe voted in favor based on the Findings of Facts;
Councilwoman Jones voted in favor based on the Findings of Facts;
Councilwoman Peterson voted in favor based on the Findings of facts.

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

Mayor Bennett then called Mrs. Connie Halter to the front for New Business #1, discussion of the SCSC pool operation.

Mrs. Halter stated she sent a letter to the City of Seaford approximately a year ago stating her concerns about the operation of the SCSC. She did not hear a response from the City until Councilman Genshaw responded at the end of June. Mrs. Halter stated she contacted Councilman Genshaw and he promptly responded. She stated since she did not hear a response she read her original letter so that all of Council could hear it. Mrs. Halter feels that if the City is funding the pool then it should be more accessible to the public. She would like to see the pool have certain hours during the day when it is open to non-members at a daily rate. She feels some may not be able to afford membership, but should still be able to enjoy the pool. She requested details about the funding of the pool. She stated she contacted SCSC again this year with a request for a daily rate and was told that there will not be a daily rate. She thanked Mayor and Council for allowing her to speak.

Mayor Bennett presented a power point presentation that went over the history of the property. The property was purchased in 2010 there were a couple purposes. One was to provide a home for the Senior Center, a site for potential spray irrigation, a golf course possibility and a pool with an outside group to operate it, open space to remain in the area and to prevent blight from taking over the property. Mayor Bennett stated that the City does own the pool, but it is run by a separate organization. He stated we form partnerships to make things available to the public. The City isn't in pool operations business and he doesn't see the City going in and telling them how to operate. He also stated if the swim center organization were to disband that would likely be the end of the pool because the City would not keep it open. He suggested to Mrs. Halter that she continue to talk to the board of SCSC about having a daily rate. Mayor Bennett also stated he would get the information for her in regards to the funding of the pool.

City Manager Slatcher presented New Business #3, the bids for the Davis Drive Extension. She stated this has been about a year project. The funding for this project will come from the Delaware Development Office's infrastructure fund. The low bid was from Delmarva Paving in the amount of \$86,760.00. She stated the delay for bringing this forward was because we had to go back to the infrastructure fund to request additional monies to pay for this work. They authorized the request last week.

Mayor Bennett wanted to thank the City Manager, Dolores Slatcher, Assistant City Manager, Charles Anderson, Trisha Newcomer, ED/IT and a property owner in the industrial park for going back up to get additional funding.

Mayor Bennett called for a motion. Councilman Shannon made a motion to award the bids for the Davis Drive Extension in the Seaford Industrial Park to Delmarva Paving in the amount of \$86,760.00 with funding being provided from the Delaware Development Office's infrastructure fund. Councilwoman Jones seconded the motion. Motion so passed, with all present voting in favor.

City Manager Slatcher presented New Business #4, present design proposal from George, Miles & Buhr for sewer extension to the east side of Route 13 from Herring Run Lift Station. She stated this has been before Council already. She also stated as of today we were able to work out new easements, so now we will come out from Herring Run Lift Station and we will build the extension on David Cantera's property, which is south of the Hobby Stop. We were able to obtain a construction easement from the Hobby Stop and the distance is significantly shortened. We will go across Route 13 to service the new development that is occurring on the east side of Route 13. She stated we would pay for the portion going to Route 13, there would be a shared cost crossing Route 13 and the developer would pick up the cost on the east side of Route 13. She stated we don't have the new figures, but we want to get the design fee of \$11,440.00 approved so we can get this project going. The owner of the carwash would like to be in business in September.

Mayor Bennett called for a motion. Councilwoman Jones made a motion to approve the design proposal from George, Miles & Buhr for the Route 13 sewer extension east from the Herring Run Lift Station in the amount of \$11,440.00. Councilwoman Peterson seconded the motion, with all present voting in favor.

City Manager Slatcher presented New Business #5, a recommendation from Berley Mears, Director of Public Works, to purchase a 100kW portable generator. She wanted to apologize for the late addition, but stated that Berley Mears, Director of Public Works, received a call that Alban had received a 2009 used 100kW generator. The unit is available to the City in the amount of \$30,110.00. She stated a bid was put out for a generator last year, but no bids came in under budget and there were no used generators in stock at the time. The generator would be used to supply power to Retirement Living lift station during emergency situations, other lift stations and water pumping stations. The recommendation is to purchase the generator and pay for it from the sewer reserve account. It would become a priority item in the Public Works budget for 2014 and would be repaid to the sewer reserve account if approved.

Councilwoman Jones asked what the life of one of these generators is. City Manager Slatcher stated they are not used that much, so it comes down to maintenance.

Councilwoman Jones then asked how much the generator is new. City Manager Slatcher stated about \$60,000.00 and that we don't need a new one. A used generator can do the same as a new because it isn't used that much.

Mayor Bennett called for a motion. Councilman Shannon made a motion to purchase a 100kW generator for \$30,110.00 to be paid for from the sewer reserve account and reimburse it through the 2014 budget. Councilman Genshaw seconded the motion. Motion so passed with all voting in favor.

REMINDER OF MEETINGS & SETTING OF NEW MEETINGS:

- Delaware League of Local Governments, March 28th @ 6 p.m. @ Sheraton in Dover
- City offices closed March 29th in recognition of Good Friday
- Worksite Wellness program kick-off @ Jay's Nest, April 3rd from 4:30 p.m.-6:30 p.m.
- SCAT @ Bridgeville, April 3rd @ 6 p.m.

Annual Municipal Election Information:

Election date is Saturday, April 20, 2013 from 10:00 a.m. until 6:00 p.m.
Candidate filing deadline and Voter Registration deadline is March 22, 2013 by 5:00 p.m.

All interested candidates must file with the City Manager before the filing deadline. Only on Council Member's position is up for election. The position is currently held by Councilwoman Leanne Phillips-Lowe.

To date only Councilwoman Phillips-Lowe has filed.

City Manager Slatcher stated this information was still on the Agenda because of the filing deadline, but there will not be an election this year. Councilwoman Leanne Phillips-Lowe was the only candidate that filed.

COMMITTEE REPORTS:

Councilwoman Phillips-Lowe reported that the WWTF is running well and there is a new employee. Some of the staff attended a Rural Water conference in Harrington. Three of the staff attended a chainsaw safety class in Dover. The signage and stripping is finished on School Lane to dictate no parking. There is a new employee in Public Works. The new street sweeper is running well. The ED/IT department has made updates to the website for the Seaford Community Swim Center. There was attendance at two Economic Development meetings and Mrs. Newcomer attended the infrastructure meeting for Davis Drive. She also attended meetings for Route 13 easements and the Worksite Wellness program. Prep work is being done for Autism Awareness month, which is the month of April. Blue lights and ribbons have been put up in Gateway Park and Riverfest meetings have been ongoing. In the Code department, building inspections have been ongoing and a conditional Certificate of Occupancy has been issued for the new 7-11. There have been 11 building permits issued, the demolition of 218 High Street is to begin on March 27th and grass cutting season begins April 1st.

Councilwoman Peterson reported that work continues with tree removal and trimming. Work will begin this week on the distribution line and extension in the Industrial Park at the Boyd warehouses. The service at the Verizon building on King Street was completed on March 23rd. Work continues on the budget preparation. There was one outage last Saturday that affected approximately 1050 customers for about 5 seconds.

Councilman Shannon reported that Police department is completing budget proposals for the new fiscal year. PFC Laurion and PFC Bachmann were promoted to Corporal on March 17th. The new handguns purchase, with the Violent Crime Grant funding, have arrived and are in the process of being issued. He also reported they are conducting preliminary interviews of certified applicants this week to begin the hiring process for the vacant position of Police officer.

Councilwoman Jones reported that Sharon worked with a FEMA representative for Sandy. She also has a list of properties for the attorney to go to tax sale. She has also been working with Downes on the electric budget forecast; working with Dave Hickey on tax appeals; preparing to mail Senior Citizen Tax exempt forms and she is going to submit the Energy Information Agency annual report. June has been working on the FY2014 budget, working with the customer service representatives and took part in an Edmunds webinar. She has been assisting the retirees with pension benefits, working on spreadsheets, processing personnel paperwork for various issues, and prepared a Department of Labor 2012 survey of occupational injuries and illnesses. She attended a pension committee meeting, is reviewing purchase order requisitions and reviewing cash accounts. June also met with a Xerox representative and we will be entering a new lease for the copier and we will be saving \$100 per month. Utility bills were mailed out on March 13th. Meter readings for water will be March 25th-27th and electric will be March 28th and March 29th. Disconnect notices will be mailed out on March 28th and disconnects will take place on April 8th.

Councilman Genshaw reported that the Easter egg hunt was well attended and Scott did a great job. The opening for the soccer league was held on Sunday. There are teams from several local towns including, Easton, Cambridge, Georgetown and Milford. He also reported Scott is working on organizing the Walking Club.

Mayor Bennett reported that two males were presented certificates and has an invitation for a special tryout in New York for a soccer camp. He also wanted to let everyone know he attended donor recognition and appreciation at the hospital and they wanted to thank the City for their support.

City Manager Slatcher reported that the City has been nominated by the Sussex County Conservation District for the Governor's Award for the Washington Avenue project.

Mayor Bennett then recognized Councilwoman Phillips-Lowe for her work at Delaware Technical and Community College. She was recognized at the Women's Day Celebration for all her work that she has done at the college and in the community over the years.

There being no other business, Mayor Bennett called for a motion to adjourn. Councilwoman Jones made a motion to adjourn. Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

Minutes of the Meeting of the
City of Seaford Mayor and Council
March 26, 2013
Page 7 of 7

Mayor Bennett adjourned the Regular meeting at 7:58 p.m.

By: _____
Dolores J. Slatcher, City Manager

/tlh