

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

April 25, 2017

7:00 PM

Mayor David Genshaw called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilwoman Grace Peterson, Councilman Orlando Holland, Councilman William Mulvaney and Councilman Dan Henderson. City Manager, Dolores Slatcher, Assistant City Manager, Charles Anderson, Chief of Police, Gary Flood, Building Official, Josh Littleton and Superintendent of Electric, Bill Bennett were also present.

Councilman Holland offered the opening prayer and Mayor Genshaw led those present in the Pledge of Allegiance.

Mayor Genshaw solicited any changes to the agenda. City Manager Slatcher stated Miguel Hernandez had a family emergency so he is unable to attend the meeting tonight but will attend the next Council Meeting.

Mayor Genshaw called for a motion to approve the minutes of the Regular Council Meeting of April 11, 2017. Councilwoman Peterson made a motion to approve the minutes from the April 11, 2017 Council Meeting. Councilman Holland seconded the motion; Councilwoman Phillips-Lowe abstained; all others voted in favor.

Mayor Genshaw recognized Bill Bennett, Supt. of Electric, Ed Tumberlin, Operations Coordinator for the Electric Department and Charles Anderson, Assistant City Manager for their work that they did on the parklet. He thanked them for putting it together and feels that it will be a great asset to the businesses downtown.

**CORRESPONDENCE**

City Manager Slatcher stated that she received a Thank You note from Habitat for Humanity for the City's help in the Rock The Block event. Audrey thanked the City for being a partner on the event and for the help the day of the event with volunteering.

City Manager Slatcher stated that she received some correspondence from DeIDOT about some upcoming work that will be happening outside of City limits. They are doing some paving and paving overlay on Woodland Road that may cause more traffic through the City.

**NEW BUSINESS**

Mayor Genshaw presented New Business #1, Report the results of Municipal Election held on April 15, 2017. City Manager Slatcher stated that there were 206 ballots casted which included 20 absentee votes. For City Council Member for a three year term: Frank Daniel Cannon, Jr. 38 votes, Dan H Henderson 189 votes and H. William Mulvaney, III 168 votes. Councilman Henderson and Mulvaney will be sworn in at the May 9<sup>th</sup> Council Meeting.

Mayor Genshaw presented New Business #2, Discuss the non-budgeted replacement of the Mobile Vison and funding. City Manager Slatcher stated that the server went down at the Police

Department which meant it was unable to record the information. Gary Andrews, IT Coordinator has worked with the Police Department to fix the system and it was determined that the system cannot be fixed. The Mobile Vision is used for appearances in court by our Officers and it is important for this system to be operational.

Since the present system is not able to be repaired, a quote was received from L3 Mobile-Vision, Inc. for complete replacement of the mobile vision and in-car video system for each vehicle in the amount of \$10,704.00.

Staff reviewed possible funding sources for this non-budgeted expense. The recommendation from staff is to use the balance of the Police Capital Reserve in the amount of \$10,621.01 and have a non-budgeted departmental overrun of \$82.99. The Police Capital Reserve fund was left-over from years past that had been set aside for capital at the Police Department. The use of these funds will leave a zero balance and close-out this reserve.

Mayor Genshaw asked for any questions from Council. Councilman Henderson asked how the system failed and what support was offered by the contractor. Chief Flood came forward and stated that the system has been there for a long time. When issues started happening, they tried to delete some items to try to help the issues and create space, however, it did not work. Due to the age of the system, the equipment was no longer under warranty. He added that the software is where the issues are at this time. This would allow for all of the cars to be updated, a blue ray disc would be installed and the information would be placed on the disc and kept on file. Chief Flood added how valuable this system was to the police department.

With no further questions, Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve the purchase of the mobile vision system per the Quote from L3 Mobile Vision, Inc. in the amount of \$10,704 with approval to use the Police Capital Reserve funds in the amount of \$10,621.01 leaving a budget over-run of \$82.99. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #3, Discuss the non-budgeted valve replacement on Middleford Road and funding. City Manager Slatcher stated that on Monday, April 17, 2017 the fire pump test at Residences at Riverplace failed. It was determined a 4" valve on Middleford Road had been broken off by City personnel when they were turning off the water earlier in the construction so their contractor could install their main to their site needed to be replaced. City Public Works personnel began the process of contacting Miss Utility for emergency locates, Del DOT for emergency permits, and Teal Construction to find out if they could perform the work on April 18, 2017.

The decision was made to install a new 10" tap on Middleford Road and run a 4' line from past the 4" broken valve and wet tap a 4" valve back in. This work had to be done by a contractor as Seaford did not have the materials or equipment to perform the work. Teal Construction was contacted by Berley Mears, Director of Public Works and they adjusted their schedule to replace the valve and tie it in on Tuesday, April 18<sup>th</sup>. On Tuesday, April 18, 2017 the water flow continued

to be inadequate for the fire pump test. The decision was made to work with the developer and Teal to install a new 10" water main.

The cost was quoted by Teal for 360' of new 10" water main with paving the trench for a price of \$28,800. Due to the various flow test results and the event with the broken valve it was decided to cost share. The City installed 110' at approximately \$8,800 and the developer installed 250' with appropriate valves and tees at approximately \$20,000.

The City will still have to pay for the work along with time and materials for the new 4" valve and tie in as the first means of providing adequate flow for the fire pump test. City Manager Slatcher added that they had their Ribbon Cutting on Friday, April 21 and residents started moving in that day. She also stated that the work has been completed other than some patching work and Del DOT advised that Teal needed to come back to redo some paving work.

Mayor Genshaw solicited any questions or comments from Council.

Councilman Henderson asked about the level of accountability with Del DOT; he added that they first agreed to the patch and then came back after the job was done to say that now the contractor has to come back to expand the patch. City Manager Slatcher stated that the job has not been completed; the contractor was aware that they would need to come back and the patch was just a temporary patch. Councilman Henderson stated that it needs to be addressed with Del DOT because coming back after the work has been approved increases the cost and is not acceptable. City Manager Slatcher stated that we may want to reach out to Del DOT and learn more about this decision before going any further.

Mayor Genshaw called for a motion. Councilman Mulvaney made a motion to approve the use of the Water Impact Fee Reserve to pay for the emergency water improvements made by Teal Construction from Middleford to the southern end of S. North Street to serve the Residences at Riverplace Apartments. The City will pay for the work at the intersection of Middleford Road and S. North Street and 110' feet of new 10" water main plus connections, valves, and trench paving. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

### **OLD BUSINESS**

There was none.

### **REMINDER OF MEETINGS & SETTING NEW MEETINGS**

- Nanticoke Senior Center, 45<sup>th</sup> Anniversary celebration, April 28<sup>th</sup> at 6 p.m.
- FY18 Budget Workshop, City Hall, Council Chambers, May 2<sup>nd</sup>, 6 p.m. **has been cancelled** due to the Mayor and Vice-Mayor being out of town. Notices for the cancellation were done yesterday.
- Board of Adjustments, City Hall, Council Chambers, May 3<sup>rd</sup>, 12 noon.
- National Day of Prayer, City Hall, May 4<sup>th</sup>, 12:20 p.m.
- Little League Opening Day, Williams Pond Park, May 6<sup>th</sup> @ 8 a.m.

- Clean-up week, May 8<sup>th</sup> through 12<sup>th</sup>, City of Seaford corporate limits only.

### COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that during the month of March, SVFD had 271 EMS runs. EMS Supervisor Jason Hudson won the Medic 107 EMT of the Year, EMT David Hammond won the Clifford Lee Award and EMT Janet Sanzone won the Sussex County Ambulance Association EMT of the Year. The fire side had 46 fire alarms and March training included rapid intervention crew evolutions – preparing our firefighters in basic techniques in rescuing firefighters in an emergency situation.

In the police department, Patrolmen Jones and Thompson attended training about “Handling Confidential Informants” at the Delaware State Police academy. Sgt. Miller and Cpl. Linville attended a three-day class in Ocean City, Md. on the topic of human trafficking. Patrol recovered four grams of cocaine, 173 fat bags of heroin, and five grams of marijuana along with 10 grams of unpackaged heroin. S/Cpl. Chambers just completed a three-day Computer Voice Stress Analyzer recertification class. Chief Flood is scheduled to participate in the annual State Chiefs’ Seminar on May 15–18, 2017 in Dewey Beach, Del. He will attend classes on the following topics:

- Five Concurrent Themes for Success
- Customer Service/Creating Wow
- Ten Top Things that get COPS in Trouble
- Various other presentations

There were seven heroin overdoses from Thursday through Sunday within the city limits of Seaford. Dispatcher Testing was held on Saturday, April 22. Ten applicants passed the test; the oral interviews will be conducted with the successful applicants on May 1.

Councilman Mulvaney reported that the Wastewater Treatment Plant performance remains good with no major maintenance issues. Leachate treatment also performing well and the compost facility is producing product available for sale to the public on Wednesdays and Fridays.

In Public Works, considerable time was spent assisting Teal Construction with the wet taps and water line for Riverplace Apartments and the Route 13 Water Main is all in; all that remains is charging the system and completing the bacteriological testing. Weed spraying began along the primary thoroughfares, large piles were picked up and the street sweeper operated during the week.

Councilwoman Peterson reported that Building Official, Josh Littleton reported Riverplace Apartments have ongoing final inspections and Certificate of Occupancy have been issued to several units. He also monitored and inspected the water main and valve in S. North Street. He attended another Rental License Committee meeting on April 24th. He has completed several plan and permit reviews and add that Meadowbridge Apartments on Tull Drive are 95% complete. Superintendent of Parks and Recreation Katie Hickey reported the Parks Dept. continue to work on irrigation, prepping softball,

soccer and football fields. The Park guys are prepping for "Live for Chocolate" on May 5 and building yard games for the 1st Saturday on May 6. The Men's Softball games and Flag Football are ongoing.

Councilman Henderson reported that Electrical Engineer, Rick Garner reported he continues work on a SCADA training simulator, an engineering database, and the development of maps incorporating the electrical infrastructure improvements. He continued with closeout items associated with the recent SCADA system upgrade. Rick along with Blake Chaffinch completed the EIA (Energy Information Administration) annual report. Rick also met with a customer regarding energy efficiency incentives and the Demand Response Program.

Supt. of Electric Bill Bennett reported that progress continues on major projects around the city including the Fallon Avenue Pole Relocation, and The Residences at River Place. There were multiple outages reported during this period due to osprey nest building activity. City personnel were actively engaged in disrupting their activity by removing incomplete and empty nests. They also erected a platform for their use in an alternate location near Miller's Auto Upholstery which is now occupied.

Regular monthly substation checks and repair of street lights on the Stein Highway Bridge were performed. Crews trimmed and cut trees in Woodside Manor and on Hooper's Landing Golf course.

Bill attended various meetings including a bid opening for the Circuit 210 relocation, a progress meeting for the Pine Street Substation and Electrical Improvements Project, and a planning meeting for the AMI project.

Councilman Holland reported that IT went through old PC files and purged software and documentation. They also worked with NovaStor back up system and assisted the City Manager with a presentation for the Rotary Club. They worked with Cox Electric regarding a need for Server Room relocation and assisted with setup of sound equipment for Residences at Riverplace Ribbon Cutting.

The following meetings were attended: DEMEC Board, Spoke at Rotary luncheon, Sussex County new district sewer meeting – Bridgeville/Greenwood, Senator Carper at Residences at Riverplace, Ribbon Cutting at Residences at Riverplace, progress meeting for substation and distribution work and an inspection was made at 500 Pine Street for a 3 Quarter house proposal.

Work was done on the FY18 Budget along with staff evaluations. Work was completed on March end of month reconciliations, municipal election and all other business was routine.

## **PUBLIC HEARING**

Mayor Genshaw closed the Regular Meeting at 7:27 p.m. and opened the Public Hearing.

Building Official Josh Littleton came forward to present Public Hearing #1, City of Seaford is the owner and applicant on behalf of Better Homes of Seaford for a preliminary plan review for Herring Ridge, a senior housing complex to be located west of Bridgeville Hwy, east of Hampton Circle. Mr. Bill Roupp from Better Homes of Seaford, Inc. and Mr. Rob Rollins from Moonlight Architect were both present representing the project. Building Official Littleton stated that this will be a senior housing complex with 34 – 1 bedroom units with a community center. He added that the current owners of the land is the City of Seaford and the buyer will be Better Homes of Seaford, Inc. The property is zoned R-3 and they will have 68 off street parking spaces provided as they are required.

Mayor Genshaw solicited any questions or comments from Council. There were none.

Building Official Josh Littleton presented Public Hearing #2, Bierman Family, LLC is the owner and applicant on behalf of Cerwin, LLC for the redevelopment of this site for a proposed restaurant on the north side of Middleford Road, 1602 Middleford Road. Mr. Chad Carter from Solutions Engineering was present representing the project. Mr. Littleton stated that the building size will be 2866 square feet. The developer is Cerwin Holdings, Inc. and the property owner is Bierman Family, LLC. The property is zoned C-2 and the current use of the property is an auto repair shop. The lot size is .931 acres including 33 parking spaces of which 26 are required. The project will require approvals from Office of the State Fire Marshall, Del DOT, Office of Drinking Water, Sussex Conservation District and DHSS – Food Service.

Mayor Genshaw solicited any questions or comments from Council. Councilwoman Phillips-Lowe questioned the exit and expressed concern of it being hazard for the cars trying to get out through that many lanes of traffic. It was stated that will be a decision that will be made by Del DOT; they will investigate it. Councilman Henderson asked about the sanitary sewer being on the northeast end of the property and the route of it. City Manager Slatcher stated that it has not been finalized yet; easements still need to be secured.

With no further questions or comments Mayor Genshaw closed the Public Hearing at 7:40 p.m. and reopened the Regular Meeting of Mayor and Council.

Building Official, Josh Littleton, presented Finding of the Facts for Public Hearing #1:

Findings of Facts:

- Project: Herring Ridge
- Current land owners: City of Seaford
- Land purchasers: Better Homes of Seaford, Inc.
- Zoning: R-3 High Density Residential
- Preliminary site plan review for a senior housing complex consisting of 34 – 1 bedroom apartments; community center
- Parking spaces provided: 68 as required by Code
- Tax Map & Parcel 331-5.00-4.24
- Property is located on Bridgeville Highway

- This project will comply with the area and bulk requirements of the zoning district.
- Project requires approval from:
  - Sussex Conservation District
  - Office of the State Fire Marshal
  - City's Engineer for Stormwater Management review

Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw called for a motion. Councilwoman Phillip-Lowe made a motion to approve for the City of Seaford the preliminary site plan review for Herring Ridge, a senior housing complex to be located west of Bridgeville Highway east of Hampton Circle for Better Homes of Seaford who is the future purchaser of these lands and developer. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw solicited any questions on the motion from Council.

Mayor Genshaw called for a roll call vote:

Councilman Henderson voted yes based on finding of the facts;  
Councilwoman Phillips-Lowe voted yes based on finding of the facts;  
Councilwoman Peterson voted yes based on finding of the facts;  
Councilman Mulvaney voted yes based on finding of the facts;  
Councilman Holland voted yes based on finding of the facts;

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

Building Official Littleton presented the Findings of Facts for Public Hearing #2:

Findings of Facts:

- Project: Burger King Restaurant
- Current land owners: Bierman Family, LLC
- Developer: Cerwin Holdings, inc
- Zoning: C-2 Highway Commercial
- Preliminary site plan review for a fast food restaurant.
- Parking spaces provided: 33;
- Parking spaces required by Code: 26
- Tax Map & Parcel 331-5.00-101
- Property is located at 1602 Middleford Road
- This project will comply with the area and bulk requirements of the zoning districts.
- Project requires approval from:
  - Sussex Conservation District
  - Office of the State Fire Marshal
  - Office of Drinking Water
  - DELDOT
  - DHSS – Food Service

Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the request from the Bierman Family, LLC who is the owner and applicant on behalf of Cerwin, LLC for the redevelopment of this site for a proposed restaurant on the north side of Middleford Rd, 1602 Middleford Road. Councilman Henderson seconded the motion.

Mayor Genshaw asked for any questions or comments on the motion.

Mayor Genshaw then called for a Roll Call Vote:

Councilman Henderson voted yes based on finding of the facts;  
Councilwoman Phillips-Lowe voted yes based on finding of the facts;  
Councilwoman Peterson voted yes based on finding of the facts;  
Councilman Mulvaney voted yes based on finding of the facts;  
Councilman Holland voted yes based on finding of the facts;

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

Mayor Genshaw reopened the Regular Council Meeting at 8:40 p.m. and called for a motion to adjourn the regular council meeting.

Councilman Holland a motion to adjourn the Regular Meeting of Mayor and Council at 8:40 p.m. Councilwoman Peterson seconded the motion; all present voted in favor.

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Dolores J. Slatcher, City Manager

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