

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

June 25, 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 Leanne Phillips-Lowe and Councilman David Genshaw. Dolores J. Slatcher, City Manager, Charles Anderson, Assistant City Manager and June Merritt, Director of Finance/HR, were also present. Councilwoman Pat A. Jones was not present due to illness.

Councilwoman Peterson 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. Mr. Jim Blackwell, Seaford Historical Society, was here to ask for approval of a letter of consent for the National Park Service's National Underground Railroad Network to Freedom.

Everyone then sang Happy Birthday to Councilman Shannon.

City Manager Slatcher stated the approval of the minutes from the Regular Council meeting of June 11, 2013 needed to be approved at the next meeting. She stated she did not have a chance to get them back to the secretary.

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

Mayor Bennett then asked Mr. Blackwell to come to the podium to present information on the Underground Railroad. He told the Council that research has shown that Harriet Tubman disembarked from a steamboat at what is now the Riverwalk in October 1856, with her runaway slave Tilly. They also had dinner and spent the night at a hotel in what is now Gateway Park. Tubman and Tilly were almost arrested the next morning, but the hotel landlord interfered and they were able to make their way to the railroad. Mr. Blackwell stated there was no train service in Seaford, but the railroad had just arrived in Bridgeville in September of that year. He told the City Council that Tubman's escape with Tilly is considered to be one of her most complicated and daring escapes. He asked the City Council permission for Gateway Park and the Riverwalk, both owned by the City, to be added as sites to the National Park Service's National Underground Railroad Network to Freedom.

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made a motion to approve the Mayor to send a letter to the National Park Service's for the Network to Freedom Owners letter of consent. Councilman Genshaw seconded the motion, with all present voting in favor.

City Manager Slatcher asked Mr. Harry Daisey to come to the podium to present New Business #1, concerns he has with City services.

Mr. Daisey stated he has been trying to come before Council for eight years and has been unsuccessful. He stated he purchased a home at 323 E. Poplar Street in 2004 and did a total remodel of the property, but is having trouble finding a tenant due to the area. He feels the area is not patrolled by police often enough and feels the officers waste time and use two officers to conduct traffic stops, when only one is needed. He stated that there is a better way to do policing and there could be a better use of resources. He stated that in the nine years that he has owned the property he has witnessed drug use, prostitution and vandalism. He feels with more police patrols this type of activity would decrease. When the market improves he is hoping to sell the property. Mr. Daisey also voiced his concerns about the \$300.00 charge for requesting a variance from the City's building code and accused the Code department of lacking uniformity in enforcing the code.

City Manager Slatcher responded to Mr. Daisey's concerns by suggesting that he meet with Police Chief Morris, who could provide details of the officers' presence in the area.

City Manager Slatcher explained that the \$300.00 fee for a variance is to cover the cost of a decision on the request by the City's Board of Adjustments, which requires the presence of an attorney as well as public advertising in advance of the meeting. She stated it is a legal issue and the board is the only one that can make a decision. She also stated enforcement is uniform and that there are several pages of violations that are addressed. She stated the City has to notify people and go through a legal process, which takes time.

City Manager Slatcher challenged Mr. Daisey on the fact that it has taken eight years to go before Council. She said she remembered him calling a year ago and a meeting was arranged with Mr. Daisey, Councilman Shannon and Chief Morris. Mr. Daisey insisted that it had been eight years. They agreed to disagree on the matter.

City Manager Slatcher presented New Business #2, a lease agreement for 411 E. King Street, between the City of Seaford and the Seaford Young Marines. She stated that the lease agreement would be rent free, but they would provide volunteer hours to the City of Seaford based on the City giving them hours for Riverfest, for clean up and other activities. Trisha Newcomer, ED Manager would be the coordinator for them and they would report their hours to her. The organization will pay utilities and do the maintenance of the property. The lease would be for one year, but would be negotiated before the end of the term. She asked spokeswoman Liza Morrison to come to the podium to explain the Young Marines and answer questions.

She stated that the chapter is part of a nationwide group that teaches the core values of the U.S. Marine Corps. Members are required to volunteer at least 50 hours a year, but all members have already exceeded those hours. The group focuses on community service, drug reduction, healthy living and to raise the youth to be positive leaders for tomorrow. There is a lot of military physical fitness and they will conduct drills in the lot on King Street. She stated members range in age from 8 to 18 and there are 12 members.

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made a motion to approve the lease agreement for 411 E. King Street between the City of Seaford and the Seaford Young Marines. Councilwoman Peterson seconded the motion, motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #3, present for approval a general employee pension amendment for requiring an employee contribution towards their pension plan. She stated the resolution is pursuant to the provisions of Internal Revenue Code section 414(h)(2), to declare that the City will pick up and pay the mandatory Participant contributions made on or after July 1, 2013, which would otherwise be payable by Participants and such mandatory Participant contributions picked up by the City shall be treated as City contributions for purposes of determining the amounts of federal income taxes to withhold from the Participant's compensation. The amendment to the Plan is to allow lower levels of voluntary Participant contributions due to the requirement for mandatory Participant contributions. She stated the second part of the resolution is the first amendment and restates our actions that we have been doing.

Mayor Bennett called for a motion for the resolution. Councilman Genshaw made a motion to approve the resolution of the Board of Directors of City of Seaford, Delaware to amend the City of Seaford, Delaware Pension Plan and Trust dated June 20, 2013 as presented. Councilman Shannon seconded the motion. Motion so passed, with all present voting in favor.

Mayor Bennett called for a motion on the first amendment. Councilman Genshaw made a motion to approve the First Amendment to the City of Seaford, Delaware Pension Plan and Trust dated June 30, 2013 to incorporate the mandatory plan contributions as set forth and to incorporate Internal Revenue Service rules for the handling of distribution of post June 30, 2013 Mandatory Participant Contributions and other parameters as presented in administering this first amendment. Councilman Shannon seconded the motion, with all present voting in favor.

City Manager Slatcher presented New Business #4, present for approval the FY14 budget. She went to the podium to explain the graphs for the budget. She stated the majority of our revenue comes from charges for services at almost 73%. Taxes are at about 14% and the next highest is the transfer from reserves. These are the three top revenue sources for the FY2014 budget. She stated the electric distribution is the biggest expense that we have and that's because of the purchased power, at 52.13%. Next is the Police department at 13.02%, Wastewater and then Administration. That is how we will spend our money in the next year. Expenditures by category show purchased power is the biggest expense at 37.41%. Salaries are next at 19.58% along with that are 10.21% for other employee benefits and other supplies and expenses at 15.25%. She stated we do have a balanced budget which is required. She also stated that at the last meeting Council did approve the change in the property tax rate and water and sewer rates. She also wanted to commend June Merritt, Director of Finance for her hard work.

Mayor Bennett called for a motion. Councilman Shannon made a motion to approve the FY14 budget as presented. Councilwoman Phillips-Lowe seconded the motion, with all present voting in favor.

City Manager Slatcher presented New Business #5, present for approval the amendment fee/rate schedule effective July 1, 2013. She stated that this would incorporate the changes that were approved at the last meeting.

Mayor Bennett called for a motion. Councilman Genshaw made a motion to approve the Fee/Rate schedule to be effective as of July 1, 2013. Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

City Manager Slatcher presented New Business #9, present for approval an application for Justice Assistance Grant (JAG) for new portable radios. She stated the department was in need of new radios, but was not able to purchase them due to cuts in the budget. Chief Gary Morris was able to apply for the grant and hopefully this will allow for the purchase of the radios.

Mayor Bennett called for a motion. Councilman Shannon made a motion to approve the application for the Justice Assistance Grant to purchase new radios and radio accessories in the amount of \$10,737. Councilman Genshaw seconded the motion. Motion so passed with all voting in favor.

City Manager Slatcher presented New Business #6, present for approval the continued use of Morris James LLP for labor legal services per their proposed fees effective July 1, 2013. She stated they are changing their fees this year, but it is a discounted rate for municipalities. She stated she would need to send a letter to agree to the fees.

Mayor Bennett called for a motion. Councilwoman Peterson made a motion to approve retaining Morris James LLP as the City of Seaford attorney for legal labor services per their proposed fees as presented in their letter dated June 7, 2013 effective July 1, 2013. Councilman Genshaw seconded the motion. Motion so passed with all voting in favor.

City Manager Slatcher presented New Business #7, present for appointment the Records Officer and Authorized Agents for FY2014. She stated Tracy Torbert would be the Records Officer. Trisha Newcomer, Dolores Slatcher and June Merritt would be the Authorized Agents. These are the same as in the past and just need to be approved.

Mayor Bennett called for a motion. Councilman Genshaw made a motion to appoint the Records Officer and Authorized Agents for FY2014 as presented. Councilman Shannon seconded the motion, with all present voting in favor.

City Manager Slatcher presented New Business #8, discuss nutrient trading option with Invista to meet the WIP and TMDL regulations for nitrogen and phosphorous discharge to the Nanticoke River. She stated that both permits are up at DNREC for approval. Invista's is

about ready to be signed. She stated there was a meeting at DNREC with Invista and what DNREC would like is an official letter from the City of Seaford making this request. This would mean the City will not have to reduce its treatment capacity and gives us time to pay off the debt service on the existing plant. We have requested a 5 year agreement with Invista along with a 5 year renewal option.

Mayor Bennett called for a motion. Councilwoman Phillips-Lowe made a motion to approve the City Manager submitting a letter to DNREC seeking approval for nutrient trading as will be finalized in an agreement between the City of Seaford and INVISTA as part of the NPDES permit approval process to meet the WIP and TMDL permit requirements. Councilwoman Peterson seconded the motion, with all present voting in favor.

REMINDER OF MEETINGS & SETTING OF NEW MEETINGS:

- City is closed for the holiday on Thursday the 4th of July
- Riverfest is on Friday evening July 12th and all day July 13th

COMMITTEE REPORTS:

Councilman Shannon reported that patrols at Riverfest are finalized. The month of July the Police department will be cooperating with the Department of Highway Safety for the Aggressive Driver Campaign. He also wanted to report that the active warrant round up has resulted in excess of 100 outstanding warrants being executed.

City Manager Slatcher read Councilwoman Jones' report. She reported that June has finished the 2014 budget and has scheduled audit. She is preparing for year end rollover of the finance system, coordination of employee AFLAC meetings, preparing and updating spreadsheets for upcoming projects and getting funding and reimbursement for various projects. The utility bills were mailed out on June 11th. Water meters will be read June 24-26. Electric meters will be read June 27th and 28th. Disconnect notices will go out on June 21st and disconnects will be done on July 8th. She reported that Sharon is working on the Riverfest Car Show. Final FEMA paperwork is completed for reimbursement for Sandy in the amount of \$8,957 and the check is in the mail. Sharon is also continuing the review of tax records, new pay sheets and preparing tax bills to be mailed out on July 1st.

Councilman Genshaw reported that the walking club continues, but is taking this week off due to the heat. Little Smashers has started back and we have 20 kids for the program. Scott is starting to get the online registration ready for fall programs. The community pool is up to 500 people and the swim team is up to 80 swimmers. He reported the last movie night was well attended and the next movie will be Wreck It Ralph on July 26th. He also reported that he is going to start a program called Character Counts. Local businesses will go to area schools one day a week to teach kids character. It is a national program and everyone is excited about the start of the program.

Councilwoman Phillips-Lowe reported that the ED/IT department reported that the developer's agreement for the sewer crossing Route 13 is completed. Trisha has also been working on various computer issues, research for a new CAD system and Riverfest preparation. Public Works has been working on leaf and limb pick up. Industrial Boulevard has been paved and various patches in the City have also been paved. They have also done the first round of spraying for the weeds on the main City streets. WWTF has been running well and Bill Wennberg is retiring. His last day will be June 28th. The code department has sent approximately 27 violation letters out and 14 work orders have been written for violations. They have issued 7 building permits and building permit inspections are on going.

Councilwoman Peterson reported that the electric department is working on the distribution line extension to the Boyd warehouses at the Industrial Park and is expected to be completed this week. The Gardner Asphalt extension is also in progress. There were a few outages, the first one being on June 13th and affected 86 customers for several hours. On June 18th a tree limb caused an outage for 2 hours on W Ivy Drive. A squirrel also caused a large outage on June 18th. On June 19th a sheared pole on Middleford Road caused an outage for 5 ½ hours. She also wanted to thank everyone that came to the 20th Anniversary Block Watch meeting.

Councilwoman Phillips-Lowe also wanted to commend all employees for their efforts during the storm.

Mayor Bennett then called for a motion to hold an Executive Session for the purpose of discussing personnel.

Councilman Genshaw made a motion to hold Executive Session. Councilwoman Peterson seconded the motion, will all present voting in favor.

Mayor Bennett reopened the regular meeting and with there being no other business, Mayor Bennett called for a motion to adjourn. Councilwoman Phillips-Lowe made a motion to adjourn. Councilwoman Peterson seconded the motion. Motion so passed with all present voting in favor.

Mayor Bennett adjourned the Regular meeting at 8:38p.m.

By: _____
Dolores J. Slatcher, City Manager

/tlh