

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

June 26, 2018

7:00 PM

Mayor David Genshaw called the Regular Meeting at 7:00 p.m. to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilman James King, Councilman Orlando Holland, Councilman H. William Mulvaney, III and Councilman Dan Henderson. Charles Anderson, City Manager, Mike Bailey, Building Official, Trisha Newcomer, ED/IT Manager, Rob Kracyla, Chief of Police and Bill Bennett, Director of Electric 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; there were none.

Mayor Genshaw called for a motion to approve the minutes of the regular meeting of June 12, 2018. Councilman Mulvaney made a motion to approve the minutes from the June 12, 2018 Council Meeting. Councilman Holland seconded the motion; the motion so passed with all present voting in favor.

CORRESPONDENCE

There was none.

Mayor Genshaw presented New Business #4, appointment of Records Officers and Authorized Agents for FY19 to the Delaware Public Archives. City Manager Anderson stated that Tracy Torbert will be appointed as the Records Officer. Trisha Newcomer, June Merritt and Charles Anderson will be appointed as Authorized Agents.

Mayor Genshaw asked for any questions or comments from Council; there were none. He then called for a motion. Councilman Holland made a motion to appoint the Records Officer and Authorized Agents for FY19 to the Delaware Public Archives as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #2, present for approval the revised Fee and Rate Schedule. City Manager Anderson stated that the change is located on the Downstream Sewer Assessment section. He added that while working with the County for the Unified Sewer District, it was stated that we will be sharing the gravity interceptor sewer line with other users. It was suggested by the County engineer to make this change in our fees. The money received from this will be put into a reserve account for future repairs to the system.

Mayor Genshaw asked for any questions or comments from Council. Councilman King asked if this would mean an increase in fees. City Manager Anderson stated that there would be no increase in fees for our residents. With no further questions or comments, Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve the revised Fee and Rate Schedule as presented. Councilman Henderson seconded the motion. Councilman Holland, Mulvaney, Henderson and Councilwoman Phillips-Lowe voted for the motion and Councilman King opposed the motion. The motion so passed with majority present voting in favor.

PUBLIC HEARING

Mayor Genshaw closed the Regular Meeting at 7:05 p.m. and opened the Public Hearing.

Mayor Genshaw asked Mr. Mike Bailey, Building Official to come forward and present the information.

Building Official Bailey presented Public Hearing Item #1, Liborio Watergate, LLC, property owners of the undeveloped acreage on Bridgeville Hwy, to be known as "Melanie's Ridge" identified as Tax Map and Parcel 331-5.00-11.00 and the undeveloped acreage on Bridgeville Hwy, which was formerly known as "Lawrence", Tax Map and Parcel 331-5.00-11.01 is seeking a subdivision for the realignment of the property lines for the purpose of creating four parcels. Building Official Bailey introduced Mr. Ring Lardner who was present from Davis, Bowen & Friedel.

Building Official Bailey stated that this is for TMP # 331-5.00-11.00 & 11.01. The zoning for these parcels is R3 High density residential and C2 Highway Commercial. They are looking to subdivide these two lots to realign the property lines for the purpose of creating four parcels. This would reallocate 61.9 +/- acres to create four parcels. Parcel 1 would consist of 54.7 +/- acres, parcel 2

would consist of 3.7 +/- acres, parcel 3 would consist of 1.6 +/- acres and parcel 4 would consist of 1.6 +/- acres which would be the future City right-of-way.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked if anything had changed since the previous presentation for this project. Building Official Bailey stated that it is the same this is just for final approval; the prior presentation was preliminary approval.

Mayor Genshaw solicited any questions or comments from the Public; there were none.

Building Official Bailey presented Public Hearing Item #2, Liborio Watergate, LLC, property owners of Melanie's Ridge are seeking a final site plan review, for a proposed residential development with commercial frontage. The zoning for these parcels is R-3 High Density Residential and C-2 Highway Commercial. They are planning for an apartment complex consisting of 280 units and future commercial space. He added that the lands are partially within the wellhead protection zone. Building Official Bailey stated that parcel 2 which is commercial land along Bridgeville Highway includes a +/- 10,000 square foot commercial leasable area. Parcel 3 is commercial land that does not include any proposed use at this time. The residential land will include a 280 unit apartment complex with +/- 560 parking spaces. There will be a mixture of private and City maintained streets. There will also be a clubhouse, playground, swimming pool, storage facilities for residents and dumpster enclosures. Building Official Bailey stated that utility improvements will include extension of municipal water, sanitary sewer and electric systems. There will be a private storm water management system installation throughout with an outfall to Herring Run Branch. Building Official Bailey stated that the proposed street names throughout the complex which have been reserved by Sussex County include Melanie's Ridge, Wheatfield Road, Sophia Drive, Tina's Way, Susan's way and Lawrence Crossing. There have been agency approvals granted by the following: State Fire Marshal, Sussex Conservation District, DNREC – Sanitary Sewer expansion, Office of Drinking Water – Municipal water system expansion and DeIDOT for the entrance.

Mayor Genshaw called for any questions or comments from Council. Councilman Holland asked where the entrance would be located. Building Official Bailey stated that it would be directly across from the entrance to the Trinity complex.

Mayor Genshaw called for any questions or comments from the Public. Mr. Dan Cannon from 411 Nylon Blvd, Seaford asked what the traffic impact would be on Alternate 13 and Herring Run Road and if the project required a traffic study. Mr. Lardner stated that a protected left turn lane will be added to their site along with a protected turn lane on the side where the Trinity entrance is

located. He added that a bus stop will be added to their side of the road and they are looking to add one on the other side of the road as well. The island area that is currently there on the Trinity side of the roadway will be pushed back. Mr. Lardner added that a letter of no objection has been issued by DelDOT for the project.

Mrs. Kristi King from 535 N. Willey Street, Seaford came forward asking if the land was located on the land where the big white house used to be across from Trinity. Building Official Bailey stated that was correct.

Mrs. Sue Brambhall from 224 Outter Run Court, Seaford asked if anything from the history of the land will be considered when doing the plans such as columns on the buildings. Mr. Lardner stated that the project is currently in the design phase. He added that he will take the request back to the developer.

With no further questions or comments, Mayor Genshaw closed the Public Hearing at 7:19 p.m. and reopen the Regular Council Meeting.

Building Official Bailey presented the Findings of Facts for Public Hearing Item #1:

Findings of Facts:

Project: Melanies Ridge Subdivision

Owners: Liborio Watergate LLC

Property is located on Bridgeville Hwy

Tax Map Parcel # – 331-5.00-11.00 & 11.01

Zoning – R-3 High Density Residential & C-2 Highway Commercial

Subdivision for the realignment of the property lines for the purpose of creating four parcels.

Reallocating 61.9 +/- acre lands to create:

Parcel 1: 54.7 +/- acres

Parcel 2: 3.7 +/- acres

Parcel 3: 1.6 +/- acres

Parcel 4: 1.6 +/- acres (Future City ROW)

Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw then solicited a motion. Councilman Henderson made a motion to approve the request of Liborio Watergate, LLC, property owners of the undeveloped acreage on Bridgeville Hwy, to be known as "Melanie's Ridge" identified as Tax Map and Parcel 331-5.00-11.00 and the undeveloped acreage on Bridgeville Hwy, which was formerly known as "Lawrence", Tax Map and Parcel 331-5.00-11.01 to subdivide the property and create four parcels as presented. Councilwoman Phillips-Lowe seconded the motion.

Mayor Genshaw then asked for a Roll Call Vote:

Councilman Henderson voted yes based on the findings of facts;

Councilwoman Phillips-Lowe voted yes based on the findings of facts;

Councilman King voted yes based on the findings of facts;

Councilman Mulvaney voted yes based on the findings of facts;

Councilman Holland voted yes based on the findings of facts.

The motion so passed with all present voting in favor.

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

Findings of Facts:

Project: Melanies Ridge Final Site Plan Review

Owners: Liborio Watergate LLC

Property is located on Bridgeville Hwy

Zoning – R-3 High Density Residential & C-2 Highway Commercial

Lands are partially within the Wellhead Protection Zone.

Parcel 2 Commercial land along Bridgeville Hwy includes a +/-10,000 sf commercial leasable area.

Parcel 3 Commercial Land does not include any proposed use at this time.

Residential land will include a 280 unit apartment complex, with +/- 560 parking spaces.

Mixture of Private & City maintained streets,

Clubhouse, Playground & Swimming pool, dumpster enclosures.

Storage Facilities for the residents.

Utility Improvements include:

Extension of Municipal Water, Sanitary Sewer & Electric Systems.

Private Stormwater Management System installation throughout, with outfall to Herring Run Branch.

Proposed Street names throughout Complex which have been reserved by Sussex County:

Melanie's Ridge

Wheatfields Road

Sophia Drive

Tina's Way

Susan's Way

Lawrence Crossing

State agency approvals have been received from:

State Fire Marshal

Sussex Conservation District

DNREC – Sanitary Sewer System expansion

Office of Drinking Water – Municipal Water system expansion

DelDot – Entrance

The project will comply with the area and bulk requirements of both districts.

Planning and Zoning made favorable a recommendation to Council.

Mayor Genshaw then solicited a motion. Councilman Mulvaney made a motion to approve the final site plan as submitted by Liborio Watergate, LLC, property owners of Melanie's Ridge, Tax Map and Parcel 331-5.00-11.00 and 331-5.00-11.01, for proposed residential development with commercial frontage. Councilman King seconded the motion.

Mayor Genshaw then called for a Roll Call Vote:

Councilman Henderson voted yes based on the findings of facts;

Councilwoman Phillips-Lowe voted yes based on the findings of facts;

Councilman King voted yes based on the findings of facts;

Councilman Mulvaney voted yes based on the findings of facts;

Councilman Holland voted yes based on the findings of facts.

The motion so passed with all present voting in favor.

NEW BUSINESS

Mayor Genshaw presented New Business Item #1, Trisha Newcomer, ED/IT Manager to present an update of the See Click Fix implementation. Mrs. Newcomer showed a map and a graph that shows the issues that have been reported through the program. She stated that there has been about 7-8 issues reported to date. She added that staff has done a great job so far responding to the issues and assigning them to other staff members if needed. There is an app that is available to download where people can access the website right through their phone. She feels that the program has gone well so far.

Mayor Genshaw asked for any questions or comments from Council. Councilman King asked what happens if something is reported after hours. Mrs. Newcomer stated that it states on the site that all issues are handled during normal business hours; this is not intended for anything that is an emergency situation. However, if it is an electrical issue, they are directed to call the after-hours number (629-4550) which goes to the police department to the dispatch center. Mrs. Newcomer asked everyone to spread the word about the app.

Mayor Genshaw presented New Business Item #3, Present for approval revisions of the Seaford Police Department General Orders Manual Section 3/964.05 Rank Criteria; to add the designation and criteria for Deputy Chief (Captain) and additional promotional requirements for other ranks. Chief Kracyla came forward to present the information. Chief Kracyla stated that these changes would open up leadership opportunities for younger officers. For the Senior Corporal rank, there are no changes being proposed. A new rank being proposed is the Master Corporal rank which will be a non-supervisory rank. The service requirements for this rank would be 15 years of law enforcement experience and at least 10 years of continuous service with the Seaford Police Department. In order to qualify for this position, the officer would have annual requirements in which they would have to complete one of the following:

FTO once in a two (2) year period for at least four (4) weeks during one FTO cycle

Instruct a total of sixteen (16) hours per year

Instruct eight (8) hours per year AND perform three (3) Community Service Presentations per year

Perform (5) Community Service presentations per year

Serve as an assistant shift supervisor for at least six (6) months during the year

He added that in order to qualify for the position, the officer would have to meet the following:

Annual performance evaluations within the proceeding two (2) year period have met the minimum standards of the department, with no single rating category of Unsatisfactory

Successful completion of a written examination with a minimum test score of at least seventy percent (70%)

He then discussed the rank of Sergeant and the changes proposed for that position. In order to qualify, a previous qualification was five (5) years in grade or the combination of three years as Corporal and currently hold the rank of Senior Corporal for the remaining years to have five years' time in-grade for eligibility. It is being proposed to replace that language with the new language to read two (2) years' time-in-grade or hold the rank of Senior Corporal.

The rank of Lieutenant has no proposed language changes.

Chief Kracyla then discussed the rank which was previously known as Captain being proposed to be changed to Deputy Chief. For this position, it is being proposed to delete the qualification of doing an oral board. It is also being proposed to change the language from must currently hold the rank of Lieutenant to read must currently hold the rank of Sergeant with two (2) years' time-in-grade. He added that this officer would stand in during his absence representing the department.

Mayor Genshaw called for any questions or comments from Council. Councilman Henderson stated that he agreed with the assessment of the Deputy Chief position. During the last three years while recruiting for a new Chief, it was advertised that the candidate hold the minimum rank of Sergeant. Councilman Mulvaney asked if all of the current Sergeants would be eligible for the Deputy Chief should they be interested. Chief Kracyla stated that all of the current Sergeants met the qualifications and would be eligible.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to approve the revisions to the Seaford Police Department General Orders Manual Section 3/964.05 as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #5, Present Resolution 2018-01 in support of the restoration of grant-in-aid funds for the Seaford Volunteer Fire Department and other volunteer fire companies. City Manager Anderson stated that this was requested by Chief Jack Wilson to support our fire department along with others. The resolution reads as follows:

A RESOLUTION IN SUPPORT OF THE RESTORATION OF GRANT-IN-AID FUNDS FOR SEAFORD VOLUNTEER FIRE DEPARTMENT AND OTHER VOLUNTEER FIRE COMPANIES

WHEREAS, the City Council is committed to the health, safety and welfare of all who live, work and play in the City of Seaford; and

WHEREAS, the Seaford Volunteer Fire Department (SVFD) serves the City of Seaford and responded to numerous EMS and fire calls within the city-limits; and

WHEREAS, the reduction in grant-in-aid funding in fiscal year 2018 by 20% has compounded the lasting financial impacts of the Great Recession on our fire companies by reducing funding for an area of increased demand; and

WHEREAS, the City of Seaford recognizes the valuable services provided by SVFD and other volunteer fire companies in Delaware and recognizes the need for their life-saving services to be available when the needs arise, and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Seaford, Delaware strongly and enthusiastically supports the grant-in-aid funds for the Seaford Volunteer Fire Department and other volunteer fire companies to be restored at the pre-fiscal year 2018 level or higher to preserve the health and welfare of our community.

Mayor Genshaw asked for any questions or comments from Council; there were none.

With no other questions or comments, Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve Resolution 2018-01 in support of the restoration of grant-in-aid funds for the Seaford Volunteer Fire Department and other volunteer fire companies. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item # 6, Mike Bailey, Building Official to present an overview of the procedures used by code for the enforcement of grass, junk and weeds violations. Building Official Bailey started out by discussing the vegetation code and what is considered a violation. In order for vegetation to be a violation of the vegetation ordinance, it has to be a minimum of 10 inches. He then discussed the process of notifying the property owner of the violation. If possible, an attempt is made to contact the property owner via phone. If that is not successful, a friendly letter is mailed to the property owner that they have 5 days to respond and/or correct the violation. If the violation is not corrected after the 5 days or there has been no response from the owner, a certified letter is then mailed to the property owner. The owner then has 5 days from receipt of the certified letter or 10 days from the mailing date to correct the violation. If the violation is not corrected after the allotted time a work order is then issued to the Parks Department to correct the violation. The property owner is billed \$100.00 for the first offense and \$500.00 for every offense after. If a property is a known property to the Code department for not responding to phone calls or friendly letters year after year, the Code department starts with the certified letter in order to expedite the process. City Manager Anderson added that during the period of April through October a single notice is required per property.

Building Official Bailey then discussed rubbish and described what was considered rubbish. The waste materials commonly referred to as rubbish, refuse and garbage, including, but not limited to; garbage from normal household living conditions, including waste, food stuffs of vegetable or animal origin, paper products, fabrics, plastic and metal containers, bottles, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, sticks, leaves, yard trimmings, uprooted tree stumps, cans, metals, mineral matter, crockery, stones, glass, straw, rocks, dirt, dust, sidewalk sweeping, turf, sand, debris, ashes, wastepaper, wrappings, cigarettes, cardboard, cans, bedding, sawdust piles, rubbish from building construction or reconstruction, street refuse, combustible and non-combustible waste materials, residue from the burning of wood, coal, or coke, abandoned or inoperable machinery, junk, wheels, tires, automobile bodies, framework, chassis, abandoned automobiles, including any abandoned, unlicensed or inoperable motor vehicles; or any combination of the same.

Building Official Bailey discussed the rubbish material procedures for the Code department. He stated that once rubbish is identified on a property, a phone call is made to the property owner. A friendly letter is also mailed to the owner and they have 5 days to respond or correct the violation. If the rubbish is still not removed after 5 days or there has been no response from the owner, a certified letter is then mailed. The owner has 5 days from receipt of the certified letter or 10 days from the mailing day to correct the violation. If the violation is not corrected after allotted time, a work order is issued to the Public Works department to correct the violation. The property owner is billed \$100.00 for the first offense and for every offense after that they are billed \$500.00.

Building Official Bailey then discussed inoperable vehicles, boats, campers, etc. He stated that abandoned automobiles, including any abandoned, unlicensed or inoperable motor vehicles are considered rubbish. The vehicles must be on private property for the Code Department to enforce ordinances. If a vehicle is on the streets, it must be reported to the Police Department. The owner will be notified by phone and if there is no response, a friendly letter is mailed out to notify the property owner that the inoperable vehicle will be tagged. Once a vehicle is tagged, the owner has 10 days to remove the vehicle. If the violation is still not corrected, the City will have the vehicle towed at the owner's expense.

Mayor Genshaw asked for any questions or comments from Council. Councilman King asked how the City was reimbursed for the work that is completed on these properties. Building Official Bailey stated that we place liens on the properties. City Manager Anderson added that we have a financial good standing ordinance in place. Therefore, if a property owner requests a permit, etc. a search is done to see if there are any outstanding balances owed.

Mayor Genshaw presented New Business Item #7, Mike Bailey, Building Official to present a status of placarding of unsafe, condemned and abandon structures as requested by the Seaford Volunteer Fire Department. This program is currently being used in other Cities and Municipalities. A placard will be placed on structures that are known to be abandoned and vacant by the Code department. These structures are unsafe for the volunteer fire department to have personnel go inside. Building Official Bailey showed an example of the placards and added that they will be going up around the City soon. City Manager Anderson asked how many he thought there are in the City at this time. Building Official Bailey stated that he plans to start with 15-17 condemned properties. Building Official Bailey added that any of these issues discussed tonight can be reported through the See Click Fix app.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson stated that a property can be condemned due to sanitary reasons. However, that does not mean that the structure is not structurally sound. He asked if these properties would have placards placed on them. Building Official Bailey stated that he plans to only place placards on properties that are condemned and known vacant. If a property is condemned just because of not having utilities on, etc. but the structure is not unsafe they will not receive a placard.

Mayor Genshaw presented New Business Item #8, Councilman Dan Henderson to present information pertaining to Freedom of Information Act (FOIA) training and Ethics. Councilman Henderson stated that he recently attended a course pertaining to FOIA and ethics. Councilman Mulvaney, City Manager Anderson, ED/IT Manager Trisha Newcomer and FOIA Coordinator Annette Cole also attended the course. This course was also attended by representatives of municipalities statewide as well as some private citizens. He added that this course was approximately three hours long with interactive participation apprised the attendants of several tenets of Delaware's Freedom of Information Act (FOIA) and Public Integrity Commission regulations.

Max Walton, Esq. shared FOIA's declared policy as quoted from Title 29 Chapter 100 of the Delaware Code:

"It is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic..."

Councilman Henderson then shared information about public bodies which are by design the definition of a public body in FOIA is to be broadly construed. An interactive exchange of hypothetical and actual situations expanded our breath and depth of knowledge about the definition of a public body. The overarching theme of this exchange ended with the idea that very similar or identical issues are often adjudicated differently from the Attorney General's Office. FOIA has two basic components concerning public bodies which are open meetings and open records.

Councilman Henderson discussed executive sessions. The same standards apply for executive sessions as in regular meetings, however the standard for holding an executive session is very high. Executive Sessions are only permitted under conditions listed in Section 10004(b) of Title 29 Chapter 100. Mr. Walton pointed toward several tests as proof of the public body's need to retain

confidentiality. During an executive session a public body cannot conceal an employee hearing if the subject employee requests it to be public. Executive Session topics cannot stray from the advertised issues on the agenda. No votes may be taken during executive session including straw polls nor informal consensus.

Councilman Henderson shared information pertaining to open records. The public must have the opportunity to access public records. What constitutes a public record is also very broadly defined. The litmus test for exceptions is very narrow, and the exceptions to these requirements were discussed. During the course, a discussion of cost recovery for document search, retrieval, and copying was discussed. Administrative costs may be recovered for projects taking longer than 1 hour. They may be charged by the ¼ hour at the lowest hourly rate of a capable employee and other costs such as materials are limited by statute.

Councilman Henderson shared information that was discussed by Deborah Moreau, Esq. during the course about codes of conduct. He discussed how to avoid the appearance of impropriety. This can be done by doing the following: no other employment gift, payment of expenses, compensation or anything of monetary value if it may result in impaired independence or judgement, preferential treatment to any person, official decisions outside official channels or any adverse effect on public confidence in government.

Councilman Henderson shared that when considering conduct and conflict of interest, simply abstaining from a vote does not meet the test sufficiently. A public official must remove themselves, (recusal) completely from the debate by leaving the presence of the body during any deliberation.

He stated that he felt the training was well worth the time and he recommends for anyone that did not attend the training to attend the next time that it is offered.

Mayor Genshaw asked for any questions or comments from Council; there were none.

Mayor Genshaw presented New Business Item #9, Joel Dunn, President & CEO, Chesapeake Conservancy and Randall Larimore, Board of Directors, Chesapeake Conservancy to present information summarizing the proposed Oyster House project to be located along the Nanticoke River at the end of South Cannon Street (SCTMP # 431-7.00-23.00) to include the pre-application documentation for the Outdoor Recreation, Park and Trails (ORPT) program funding submission. Mr. Dunn came forward to present the information; he also introduced Mr. Andrew Dismore who was present this evening from Senator Coon's office.

Mr. Larimore stated that this is an important project for him. He added that once the DuPont plant closed, Seaford has had some rough times. He would like to see the City of Seaford back to the

viable community that it was at one time. Mr. Larrimore discussed the history of oysters that the City of Seaford had when an oyster house was located in Seaford.

Mr. Dunn stated that they have been able to acquire a great parcel for the project for a price of \$225,000. The owner of the property is willing to sell the property for that price and they are moving forward with the purchase. An environmental assessment was done on the property with no recommendations. Mr. Dunn stated that they have the money in hand to purchase the property and have also developed a partnership with the Seaford Historical Society. They have also engaged the Spade and Trowel Club to help with the plants in the area. They also plan to have a kayak access and launch area on site. He added that they are also looking into doing a kayak share program.

The City of Seaford has applied for a matching grant from the State which they hope to hear from this week if the money has been awarded for the project. Once the property is purchased, they would like to transfer the ownership to the City of Seaford. They would also like to request that the City of Seaford do the management of the site. He added that this will be a limited expense to the City as they will still work with their partners.

Mayor Genshaw asked for any questions or comments from Council. Councilman King stated that he feels that this is something incredible for the City of Seaford and it can snowball into some more fantastic opportunities. Councilwoman Phillips-Lowe asked about the shoreline and the plan if erosion were to happen. Mr. Dunn stated that is also a concern for them, however, there is an area south of the property that is protected. He added that the old ferry dock was purchased for DNREC and a large grant was awarded to reinforce the shoreline. Therefore, there are state funds available to do projects such as shoreline stabilization. He added that they will take that into consideration when planning the project and use living shoreline when possible. Councilman Henderson asked about the kayak share program and how it would work. Mr. Dunn stated that it would be the owner's responsibility to maintain and track the kayak.

City Manager Anderson stated that as Mr. Dunn previously stated, a pre-application was completed by the City for the project. If the application is successful, it will come back for Council's approval. Mr. Dunn added that this project is not contingent based on receiving the state grant. The project will still move forward if the grant is not awarded.

He then called for a motion. Councilwoman Phillips-Lowe made a motion to approve the submission of pre-application documentation to the Outdoor Recreation, Park and Trails (ORPT) program for potential funding as presented. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item # 10, Present for approval a contract of sale of the property located on South Cannon Street (SCTMP# 431-7.00-23.00). The contract of sale is in the amount of \$225,000 and once purchased, it will be transferred into the City of Seaford's name.

Mayor Genshaw asked for any questions or comments from Council; there were none.

With no questions or comments, Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the contract of sale for the property located on South Cannon Street (SCTMP # 431-7.00-23.00) as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #11, Present for approval a Memorandum of Understanding (MOU) between the City, Chesapeake Conservancy, the Nanticoke River Watershed Conservancy, and the Seaford Historical Society related to the Oyster House project.

Mayor Genshaw asked for any questions or comments from Council; there were none. He then called for a motion. Councilman Mulvaney made a motion to approve the Memorandum of Understanding (MOU) between the City, Chesapeake Conservancy, Nanticoke River Watershed Conservancy, and the Seaford Historical Society related to the Oyster House project as presented. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #12, present for approval conservation easement documentation specifying the use of the property located at the end of South Cannon Street (SCTMP# 431-7.00-23.00) for public recreation access. City Manager Anderson stated that if Council desires, this can be tabled to the next meeting so that City staff has the opportunity to review the information further.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson made a motion to table this item until the next meeting to allow City staff more time to review the information. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #13, Trisha Newcomer, ED/IT Manager and Bill Bennett, Director of Electric to present an update on the Advanced Metering Infrastructure (AMI) project and public awareness efforts by the City. Mr. Bennett stated that on February 14, 2018 the Council gave the approval for the City staff to move forward with AMI digital meters. He explained that some of the benefits of these will be:

All meters can be read on one day by the computer for billing purposes

Read & leave on work orders can be performed in the City office over the computer and the work order closed out.

Outage reports will be available to us on line and we can see when power has been restored.

Low voltage complaints can be checked on line and we can see if it is our problem or the customer's problem in their house.

Residential disconnects and reconnects can be done remotely. This will be a savings of approximately \$22,000 a year. (\$22,488.48 but we will still have to manually do commercial meters).

Mr. Bennett discussed some upcoming dates for the project. On July 9, the company changing the meters, NextGen, will be traveling to Seaford. They will be given ID tags and magnetic signs for their vehicles identifying them as contractors for the City. They will be shown where the new meters are located and where the old meters will be stored. On July 10, they will starting changing electric meters out, the first day they will only do 24 meters to make sure the data transfer is completed correctly. They will progress up to changing around 150 meters a day. He added that it will take about 5 minutes to change each socket type meter. It is estimated they will be done with the electric meters by September 7, if they have many rain days, locked fences or issues with animals they may have to go back to do those meters. If this occurs, they will hang a tag on the front door asking the resident to call them and make an appointment. The hours that they plan to work are from 8 a.m. until 6 p.m. Monday through Friday.

Mr. Bennett stated that they will have some blackout dates when they will not be exchanging any meters. During this time, meter reading and bills will be printed by the City. All of these estimated dates are contingent on the proper transfer of data, weather condition, locked gates or animal

concerns. Mr. Bennett then showed a map of the City including the routes of how they plan to do the exchanges.

Mrs. Newcomer shared pictures of the ID tags, magnetic labels for the cars and the hang tags that will be placed on the doors. There are three hang tags that will be placed on the doors. The first one will be done by our electric department which is yellow and states that their meter is on the way. The others will be hung by the contractor which are green if the meter exchange is successful and a red one which means the meter exchange was unsuccessful. If a meter exchange is unsuccessful, they will be given a number to call to set up an appointment.

Mrs. Newcomer then discussed the public awareness efforts that will be done for this project. In January of 2018, a notification letter was mailed out to all property owners notifying them of the upcoming project. On the website, FAQs have been posted as well as printed out for the front counter. There will also be Facebook notifications as well as constant contact notices that will be done as the project moves forward.

Mrs. Newcomer then discussed the electric disconnection steps after the AMI project completed. She stated that currently when a customer is disconnected for non-payment, the electric department goes to their house disconnects the meter and then hangs green tag on their front door. She added that there are four touch points that the customer receives prior to get their electric disconnected. There are two blue bills that go out showing the balance to the customer, then a disconnect notice that goes out and then once the electric is turned off there is a green notice hung on the door. Once the AMI project is completed, disconnects will be able to be completed remotely from the office, therefore, the electric department will not be going out to each residence to disconnect; so the green tag will not be hung. She added that notification of this procedure will be put on the July, August and September bills and reminders will be done through Facebook, Constant Contact and the Website. She added that the earliest that this will be in place will be October, however, she just wanted everyone to be aware of the change.

City Manager Anderson added that the water process will not change as they are not able to be disconnected remotely.

Mayor Genshaw asked for any questions or comments from Council. Councilman King asked if you were able to call ahead to make an appointment if you have a locked gate or an animal. Mr. Bennett said that he does not believe that they are able to do that. They do have a two week window where you can call to schedule an appointment once you receive the notice on your door if they are not able to gain access. Councilman Henderson asked what the time line was of when you

would be able to view your consumption online. Mrs. Newcomer stated that it is part of the project, however, they want to be sure that all of the information is collecting correctly prior to putting that information out there. Once that is in place, it will be brought back to Council.

OLD BUSINESS:

Mayor Genshaw presented Old Business Item #1, Second reading of an amendment to the City Municipal Code Chapter 8, Section 8.4.2 to amend the time required to apply for a Parade or Procession Permit to 45 days in advance of the event.

Mayor Genshaw asked for any questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilman King made a motion to adopt the amendment to the City Municipal Code Chapter 8, Section 8.4.2 to amend the time required to apply for a Parade or Procession Permit to 45 days in advance of the event. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented Old Business Item #2, Second reading of an amendment to the City Municipal Code Chapter 8, Section 8.3.3 to amend the time required to apply for a Special Event Permit to 45 days in advance of the event.

Mayor Genshaw asked for any questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilman Holland made a motion to adopt the amendment to the City Municipal Code Chapter 8, Section 8.3.3 to amend the time required to apply for a Special Event Permit to 45 days in advance of the event. Councilman King seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented Old Business Item #3, Second reading of an amendment to the City Municipal Code Chapter 8, Section 8.2.19 to permit the sale and or consumption of alcohol at special events or gatherings in public places with application to and approval from the City Council.

Mayor Genshaw asked for any questions or comments from Council; there were none.

Mayor Genshaw then called for a motion. Councilman King made a motion to adopt the amendment to the City Municipal Code Chapter 8, Section 8.2.19 to permit the sale and/or consumption of alcohol at special events or gatherings in public places with application to and

approval from the City Council. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

First Saturday, July 7; Downtown Seaford, 4:00 p.m.

City Offices and Utility Divisions will be closed on July 4th

Nanticoke Riverfest – July 14th from 8:00 a.m. until 9:00 p.m., Downtown Seaford

COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that in Public Works, they have finished painting curbs in Woodside Manor and have started in Westview going east to Nylon Blvd. They cleaned many catch basins due to storm debris. They completed work on the Ross lift station force main. The paving contractor was in the City doing prep work to pave on June 21st. A meeting was held with a Verizon consultant in reference to installing antennas on Dulany and Spruce towers. They repaired a water service leak on Pine Street and the old service was abandoned. Budgeted work to the Pine Street lift station has started. The paint machine is currently broken and will be fixed by next week. Berley attended multiple meetings and all other routine tasks were completed such as L & L. sweeping, meter reads, disconnects, hanging pink tags, collecting state water samples, etc. It was added that the department is one man down currently and Michael Stanfield started on June 18th.

In WWTF, plant performance is good and they currently have compost for sale. Water was received from Proximity and leachate treatment is going well.

Councilman Henderson reported that there was no fire department report to be given at this time.

In the Police department, On June 9, 2018, a vehicle left the roadway and crashed into the Weathered Treasures building on High Street, hitting a bench, an iron fence, damaging landscape and removed a Stop sign before coming to a stop in the building. The driver was taken to Nanticoke Memorial Hospital where she was diagnosed with a broken nose. It is believed she may have suffered a seizure.

On June 19, 2018, a Seaford officer received a text from an unknown female soliciting sex. The text was shown to Detective Chambers who followed up on the text and made arrangements for the subject to come to Seaford to meet him. Once Brittany Starns, a 28 year-old female, arrived

she was taken into custody as well as the male driver of the car, 63 year-old Kevin Gardenhour. Both were charged.

Update on an unlawful sexual contact in the second degree: On June 19, 2018, Patrick Horsey turned himself in after a warrant had been issued for his arrest. The investigation had been ongoing since March after a report was filed by the victim in the case (under the age of 18).

On May 12, 2018, officers responded to Liquid Assets for a burglary. CID was able to identify the suspect and obtain warrants. Forward to June 21, 2018, officers were dispatched to Bank of Delmarva where the same suspect was attempting to cash a stolen check in another unrelated burglary being investigated by the Delaware State Police. James Green-Surman was arrested and charged with Burglary 3rd degree, Wearing a Disguise during the Commission of a Felony, Possession of Burglar Tools, Theft under \$1,500.00, Criminal Mischief, Forgery 2nd degree, and Attempted Theft over \$1,500.00.

On June 24, 2018, a subject was operating his vehicle in a reckless manner at the Nylon Capital Shopping Center. This caused the vehicle to collide with a metal support under an awning. There was extensive damage to the metal support, the awning, and subject's vehicle. The vehicle was towed and citations were issued for reckless driving and inattentive driving.

On June 9, 2018, the Guns and Hoses softball tournament was held. Due to the weather, it was shut down; however, the competition was continued on June 23, was successful, and without incident.

June 11, 2018, SRO (School Resource Officer) interviews were held. After interviews, it was decided that Pfc. Tyler Justice would be selected as the SRO, with Pfc. John Thompson serving as an alternate when Pfc Justice is training or on vacation. Both will be sent to a school for training at a later date.

Sr. Cpl. Laurion gave a tour of the Police Department to a young child while his father was getting his fingerprints for employment purposes.

June 12, 2018, Chief attended the Delaware Police Chiefs meeting in Dover, followed by a meeting regarding our SLEAF request of \$34,000.00 to fund Tasers and accessories. Funds were granted to us in the amount of \$16,000. The remaining balance needed to supply all officers with new Tasers was tabled until the next funding cycle.

Chief attended Seaford Goes Purple at a dinner meeting before attending the Council meeting. The Master Corporal rank was approved by Council.

On June 13, Chief held an internal staff meeting. Riverfest and upcoming applicant testing was discussed.

Chief attended the Customer Service meeting at City Hall with Karen.

June 14, 2018, Chief met with Chief Wright of Laurel to discuss collaboration and information sharing.

Attended the Summer Food Service Program at mid-day followed by a meeting at Nanticoke Memorial Hospital regarding Drug Free Community.

June 15, 2018 – Chief attended the Ribbon Cutting at Pine Street Substation.

Chief and Dispatch Administrator Bell met with John Guilliams, 911 Administrator, regarding allowed use of 911 funds.

June 18, 2018 – Chief met with the Seaford Blockwatch group speaking to them about their safety acting as members of the group.

Chief met with Seaford Downtown Association.

June 20, 2018 – Chief had a breakfast meeting with Chief Anthony and local pastors at Stargate Diner.

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Chief held weekly Administrative staff meeting.

June 23, 2018 – The “rain date” for Guns and Hoses Softball took place.

Officer applicant testing took place on Saturday, June 23, 2018. 20 applicants RSVP'd, 15 showed up, and 5 passed the test and physical portion. Interviews will be scheduled in the near future.

Chief working on the revision to the GOM regarding the promotion process.

Chief working with a contact regarding a possible grant to get another vehicle.

June 21, 2018 – Chief attended Kent and Sussex Investigators Meeting at Rehoboth Beach.

Also, Chief participated in a conference call with the NLLEA (National Liquor Law Enforcement Agency).

Chief attended Police Challenger baseball in Middletown. Law enforcement officers State-wide double up with disabled players and play the game with them.

(The Chief is interested in holding an event of this nature in Seaford. I look forward to supporting his future plans.)



June 22, 2018 – Chief met with Sergeants for bi-weekly staff meeting.

Chief met with four members of the Governor's staff who stopped by to do some preliminary planning and photo taking of our tower out back. On July 24 the Governor will visit the Department conducting a press conference implementing a program to expand the State's broadband system.

Eleven traffic arrests were made during the Office of Highway Safety Motorcycle Enforcement period in June.

June 19, 2018 - Dispatch Administrator Bell attended Narcan training in Smyrna.

June 11, 2018 – Ptlm. McKinnon and Ptlm. Ruark attended Drug Investigations course.

June 18, 2018 – Cpl. Scott and Ptlm. Ruark attended Officer Involved Shooting/Use of Force training.

Councilman Mulvaney reported that work was completed on inventory for year end. Tree trimming was completed and replaced the underground primary wire at the Trinity Transport building on Sussex Ave. Two outages were reported: at Willey and Nylon caused by a squirrel affecting 8 customers for 1 hours and on Friday, June 22nd there was an outage caused by tree limbs falling across the primary wires affecting circuit 280 lasting 1 hour and 10 minutes affecting about 1,000 customers. Blake Chaffinch worked with Gary Andrews and QEI to separate the SCADA system from our network. Director Bill Bennett and the crew participated in the Pine Street Substation Ribbon Cutting. Director Bennett handed out the annual evaluations and had many meetings about the upcoming AMI meter deployment.

Councilman Holland reported that the City-wide property reassessment started last week and field work should continue through Labor Day. There were multiple meetings attended including the Sussex County prayer breakfast, meeting with Peggy Geisler about the Seaford goes purple campaign initiative, Katie Hall with the Delaware Archives about relocating the High Street Masons Historical marker and Debbie Feil with KCI about the 2020 Comprehensive Plan update contract draft. Other work included preparing the Council agenda, attending a Unified sewer district design meeting #4, Rental Licenses informational meeting and attended the Pine Street substation Ribbon Cutting.

In IT, work was completed on the SCADA separation and preparation. Streamed the Ribbon Cutting via Facebook. Repairs were completed to the phone and other miscellaneous items at the

Police Department. Documentation of equipment and warranties for City and PD, picked up and distributed Monitors from Wilmington.

In Administration, attended the FOP negotiation meeting, worked with staff to prepare information for the AMI project implementation. Attended the customer service meeting and prepared for the end of fiscal year. All other business is routine – financial management, payroll and benefits, purchasing, billing, customer service, etc.

Councilman King reported that in the Code Department, Building Official Mike Bailey is doing routine inspections for on-going projects, violation inspections and performing plan reviews for new permits. The Code Dept. has issued 122 permits as of June 21, 2018. Mike Bailey had the opportunity to attend a rental license workshop. Mike & Shannon are preparing the Riverfest vendor list and Mike Bailey is also preparing for July's planning and zoning meeting. Chick-fil-A is seeking a preliminary Site Plan review.

Large Project Statuses:

Eagle Diner - Waiting for final inspections.

Royal Farms - Fuel Canopy is up. The Construction entrance relocation has started.

Walmart - Online Order addition. The modular box is now in place.

Ross Station Event Center - Plan review is done. Waiting for Fire Marshal Approval.

In Parks & Recreation, Superintendent of Parks and Recreation Katie Hickey reported that the Parks Dept. has completed routine jobs of prepping the soccer, football and softball fields and weekly trash pick-up, and grass cutting. Youth Co-Ed flag football sign-ups are underway! (Extended Signup days in July). The Men's softball playoff was extended due to rain and the Championship date is set for 6/25. Katie has attended several Riverfest meetings. Katie and her team are now in the preparation stages for this event which is scheduled for July 14th.

Katie recently participated in Unified Seaford (US) meetings with Pastor Ross and Seaford Goes Purple (SGP). The next meeting scheduled for SGP is 8/18. "Tinkergarden" classes to be held at Soroptimist Park in July & August.

A special thank you to Parks & Recreation employee Gerry Parker. His talents & ability for repairing equipment has been put to good use lately for repairs to much needed equipment.

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With no further comments, Mayor Genshaw called for a motion to close the regular Council Meeting. Councilwoman Phillips-Lowe made a motion to close the regular Council Meeting. Councilman King seconded the motion; the motion so passed with all present voting in favor. The meeting was adjourned at 9:31 p.m.

Charles D. Anderson, City Manager

/tnt