

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

July 24, 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, June Merritt, Director of Finance/HR, Mike Bailey, Building Official, Trisha Newcomer, Director of Economic Development and Community Relations, and Rob Kracyla, Chief of Police were also present.

Mayor Genshaw offered the opening prayer and 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 on July 10, 2018. Councilman Henderson made a motion to approve the minutes from the July 10, 2018 Council Meeting. Councilman Holland seconded the motion; the motion so passed with all present voting in favor.

**CORRESPONDENCE**

There was none.

**NEW BUSINESS**

Mayor Genshaw presented New Business Item #1, Chief of Police Rob Kracyla, to present a recommendation to increase the fee charged by the City for fingerprints. Chief Kracyla stated that the City has provided a public service for many years to allow residents to come the police department to get fingerprints done.

He then read a memo from Corporal Mills to the then current Chief of Police, Chief Morris that was written in 2012. In this memo, Corporal Mills stated that his wife recently received a new job in the healthcare field and was required to obtain fingerprints. She received paperwork from her employer with some places listed of where she could obtain fingerprints, however, the City of Seaford was not one of those listed. She was referred to the Rehoboth Beach Police Department, who in 2012 charged \$30.00. Chief Kracyla added that most employers do refund their employees for the cost of the fingerprinting.

The Rehoboth Police Department no longer offers fingerprinting services for the public. There are no other agencies that offer the service other than SBI in Dover who charges \$45.00. It was added that all of the Delaware State Police troops refers the public to SBI in Dover for fingerprinting.

Currently, and for the past 15 plus years, the fee charged by the Seaford Police Department is \$5.00 per card and is not in line with what Delaware State Police charges. Chief Kracyla stated that no Municipal departments in Sussex County offer fingerprinting services any longer.

Chief Kracyla is proposing to increase the rate to \$25.00 per two card set. He added that when you consider that an officer must be pulled from the road and spends at least 20 minutes performing this task, it more than justifies the cost.

Mayor Genshaw asked for any questions or comments from Council. Councilman Mulvaney asked if the Old Blue Hen building in Dover is where the public goes for fingerprinting. Chief Kracyla stated that was correct; that building is the SBI building. Councilman Holland asked how many people come in to get fingerprinting done. Chief Kracyla stated that there were two today that came in, however, some days there are none that come in. He added that on an average, there are about 5-10 people that come in a week for the service. Councilman Henderson asked if he was set on the \$25.00 fee. Chief Kracyla stated that he is not, he would like to have Council's input on the fee, but he feels that the \$20.00 to \$25.00 is a reasonable fee for the service.

With no further questions or comments, Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve the increase of fee to \$25.00 to be charged by the City of Seaford for fingerprints as presented. Councilman Mulvaney seconded the motion; motion so passed with all 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.

Mr. Bailey presented Public Hearing Item #1, Chick-Fil-A Inc., property owners of 22932 Sussex Highway, Seaford, DE identified as Tax Map and Parcel # 331-5.00-50.12 seeking a Preliminary Site Plan review for proposed Chick-fil-A restaurant with associated parking, and access driveways.

Mr. Bailey stated that this is a preliminary site plan review for a Chick-Fil-A to be located at 22932 Sussex Highway, Tax Map and Parcel # 331-5.00-50.12. He added that a one story building with 4,999 square feet with an occupant load of 110 seats is being proposed. There will be 46 paved parking space provided with 32 being onsite and 14 provided by an easement with Seaford Village Shopping Center. He added that 46 parking spaces are required by code. The zoning for this property is C-2 Highway Commercial. Mr. Bailey stated that an onsite storm water management will be provided. Approvals for the project are required from the State Fire Marshall and Sussex Conservation District.

Mr. Bailey introduced Mr. Chris Mondoro from Bohler Engineering and Mr. John Martinez who was from Chick-Fil-A who were both present representing the project.

Mayor Genshaw solicited questions from Council. Councilman Henderson asked if the 14 parking spaces were identified that will be used in the shopping center. Mr. Bailey stated that these spaces

are from an existing easement that Wendy's had with the property owner. He added that this will be used for surplus parking that will not be assigned and he believes that these will mostly be used for employees.

Mayor Genshaw solicited questions from the public; there were none.

Mayor Genshaw closed the Public Hearing at 7:10 p.m.

Building Official Bailey presented the Findings of Facts:

Findings of Facts:

- Project: Chick-Fil-A Restaurant
- Owners: Chick-Fil-A Inc.
- Property is located at 22932 Sussex Highway
- Tax Map & Parcel 331-5.00-50.12
- Zoning: C-2 Highway Commercial
- Preliminary site plan review for a 4,999sf single story building with site improvements.
- Parking spaces provided: 46 paved parking spaces provided  
(32 onsite & 14 provided by an easement with Seaford Village Shopping Center.)
- Project requires approvals from:
  - Sussex Conservation District
  - Office of the State Fire Marshal

Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw then solicited a motion. Councilwoman Phillips-Lowe made a motion to approve the Preliminary Site Plan as submitted by Chick-Fil-A Inc., property owners of 22932 Sussex Hwy, Seaford, De, identified as Tax Map and Parcel # 331-5.00-50.12 for a proposed Chick-Fil-A restaurant with associated parking, and access driveways. Councilman Holland 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.

OLD BUSINESS:

There was none.

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

- Former Councilwoman Grace Peterson's Retirement Dinner, July 26; 5:30 p.m. at the Nanticoke Yacht Club.
- Bill Bennett, Director of Electric will be acting City Manager July 27 – 31.
- Berley Mears, Director of Public Works will be acting City Manager August 1 – 6.

## **COMMITTEE REPORTS**

Mayor Genshaw welcomed Boy Scouts from Troop 182. He stated that Governor Carney was at the Police Department today to commit to providing Delaware residents in information "desert" areas with access to Wireless Broadband in the next 24 months. The pilot program provided by Bloosurf has been used by some participants with success. He added that the plan is for in the next two years to provide broadband for the entire state. Mr. Toby French has sent some correspondence out in reference to a Downtown focus day which will be held on September 12<sup>th</sup>.

Councilwoman Phillips-Lowe reported in Public Works, curb painting has continued and they repaired a water leak on Front Street. Berley has prepared a bid for the Shipley Center sewer extension and started to prepare a bid for Tull Drive extension project. They recently sprayed for weeds and paver patched some streets. The no parking area in front of the pool entrance was restriped. A kickoff meeting was held with GMB in reference to the MS4 project. The department has been rounding to SeeClickFix items. Performed all routine tasks; swept, L & L, read meters, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc. One man down due to surgery; Lorenza Fryberger who started on 7/16/18. The department also assisted with Riverfest with the barricades.

In WWTF, the plant performance is good and leachate treatment is going well. They are currently out of compost to sell and is receiving regular Proximity waste.

She thanked everyone for their help with Riverfest which was a successful event.

Councilman Henderson reported that a meeting was recently held with Chief Wilson and City Manager Charles Anderson. During this meeting, some initiatives were discussed that the Chief felt we needed to become aware.

1. The department is considering the consolidation of their fleet. The thought process behind this initiative is as follows:
  - A. Sell Engine 87-5, an 8 person apparatus with 1,000 gallons of storage and a pumping capacity of approximately 1500 gallons per minute.
  - B. Sell Engine 87-3, a 5 person All Wheel Drive apparatus with 750 gallons of storage and a pumping capacity of approximately 1500 gallons per minute.
  - C. Purchase one new Engine to be specified with the initial plan to be a 6 person apparatus with 750 -1,000 gallon storage capacity and a pumping capacity of approximately 1500 gallons per minute.

- D. Because full staffing is an ever present challenge this new apparatus will serve as a labor saving device, and it will increase efficiency in responding to calls.
  - E. Several NFPA (National Fire Prevention Association) Pamphlets, more specifically Pamphlets 1901 and 1915, define standards which must be adhered to regarding the design, operation, and maintenance of Automotive Fire Apparatus. At or near 25 years of service Engines 87-3 and 87-5 are nearing the end of their service life here in Seaford, and they are becoming increasingly difficult to keep in compliance. Nonetheless they still have value to other departments across the country with less stringent codes.
  - F. The replacement of the 2 existing apparatus will ensure NFPA and ISO (International Organization for Standardization) compliance.
2. The Command Vehicle which was involved in an accident several months ago is back in service.
  3. Plans are being investigated for the replacement of the van.
  4. Modernization of the ambulance fleet was again a topic of discussion.
  5. The Chief shared his views regarding risk management and insurance. He also made an inquiry regarding city policies. The similarities and contrasts of City policy and Fire Department Policy was discussed.
  6. I would like to thank Chief Wilson for his submission of an Incident Action Plan for the 24th Annual Riverfest. This plan was innovative, comprehensive, and it was a proactive step in assuring seamless responses to possible situations. This Incident Action Plan may become the Gold Standard for future events in this city and around the region.

#### **Police Activity during period of July 10, 2018, through July 22, 2018:**

##### **Criminal**

On July 12, 2018, Pfc. Short observed suspect Robert Hoyle and had knowledge he was wanted by Delaware State Police on a felony warrant. When Pfc. Short attempted contact with him, Mr. Hoyle fled on foot, crossing over several streets, causing Pfc. Short to lose sight of him. Pfc. Short noticed a shoe in the roadway near a parked car and found Hoyle under the car. He was taken into custody. Hoyle was arraigned via videophone with charges of resisting arrest, trespassing, and the warrants that Delaware State Police had; he was then transported to Sussex Correctional Institute.

On July 13, 2018, C Squad assisted Salisbury Police Department locating a wanted fugitive. The suspect had 16 capiases and was hiding under a bed when he was located with .6 grams of marijuana.

On July 14, 2018, Delaware State Police officers notified us about a suspect that eluded them in the area of Walmart. Seaford PD helped in the search, but the suspect could not be located. A couple of hours later we received information regarding a suspicious person running behind Walmart. The suspect was discovered on a small area of land in the middle of a swampy area. Trooper 2 (DSP helicopter) was also in the area searching making enough noise that Ptlm. Palm

and Sgt. Miller were able to walk up to him and take him into custody. The suspect was then turned over to Delaware State Police.

On July 15, 2018, Sr. Cpl. Laurion performed a traffic stop. The vehicle came to a stop and the driver fled on foot into the marshy area behind Nanticoke Memorial Hospital. Cpl. Laurion tackled the subject, a struggle ensued, and the subject had to be pepper-sprayed to gain compliance. Further investigation revealed that the subject was wanted by Camden Police Department for shoplifting under \$1500, theft by false pretense and breach of release.

On July 15, 2018, Ptlm. Palm and Pfc. Thompson identify a felon and decide to conduct a traffic stop. The suspect, Donald White, flees on foot. Mr. White was tasered and then searched. He admitted to having marijuana in his scrotum area. He was taken back to Seaford PD where he was strip searched and 31.6 grams of marijuana was discovered. Additionally, a search of the vehicle he abandoned revealed .3 grams of marijuana cigarette butts, a black digital scale, a loaded .22 caliber handgun, extra ammo and \$673.50 in suspected drug currency. His vehicle was impounded and the cigarette butts, scale, gun, ammo, money and marijuana were placed into evidence.

July 17, 2018, Pfc. Jones and Pfc. Short conducted a vehicle stop for a traffic violation. The officers detected the smell of marijuana and one of the defendants in the vehicle admitted to having a small amount of marijuana among his effects. A subsequent search of the vehicle revealed not only the aforementioned marijuana, but a kilo of heroin as well. Estimated value of the heroin is approximately \$150,000.00 with the estimated street value for being in the neighborhood of \$700,000.00.



On July 19, 2018, Sr. Cpl. Laurion responded to Linden Street to inform several residents of a fraud suspect targeting elderly people in the area.

On July 19, 2018, Pfc. Thompson located a suspect vehicle and the suspect that fled from both DSP and Laurel PD. His proactive enforcement was an excellent move towards building the relations amongst outside agencies and Seaford Police.

## Administration

On July 9, 2018, Chief attended the Director's meeting at City Hall.

Police Officer applicant oral interviews were conducted on July 11, 2018, at the Department with Lt. Flood, Sgt. Little, Cpl. Anthony Baker of the Delaware State Police, and Cpl. Susan Gladmon of Rehoboth Beach Police Department. Out of five applicants, four were selected to advance to the next phase of polygraph. The polygraphs will take place in the next week.

Chief and Karen attended the Customer Service meeting at City Hall. The next meeting, to be held on July 18, will include supervisors from all the City Departments.

On July 12, 2018, Chief conducted weekly internal staff meeting; discussed was proposed shift changes for Lieutenants to be done on a rotating basis as well as the purging of our Evidence Room.

Chief attended a meeting at Nanticoke Memorial Hospital regarding Project Purple.

Chief attended a dinner meeting with the Mayor and members of the Caesar Rodney Institute.

On July 13, 2018, Charles Anderson met with the Chief and Anita regarding upcoming certification of the 911 Center in fire; we are already certified in police and EMS. Additionally, under discussion were some purchases for the Department with 911 funding; i.e., fiber network and possible Wi-Fi.

July 14, 2018, the City hosted the Annual Riverfest.



Pfc. Short arresting a Hawaiian penguin? What did he do??



Pfc. Thompson helped judge the Little Miss Seaford Pageant.



Pfc. Jones (left) and Detective Chambers interacting with youngsters attending Riverfest.



Sr. Cpl. Laurion and Sgt. Miller with the winner of the fishing competition!

A peaceful protest was held on July 16, 2018, regarding the resignation of Seaford High School Principal Terry Carson. Seaford Police Department assisted in traffic control and security. Chief was interviewed by WRDE.

On July 20, 2018, Chief held bi-weekly Sergeant's meeting. After the meeting, Jim Fitzgerald, Director of Security for Seaford Meadows, and their company's attorney, David Zerbato, discussed landlord/tenant issues, drug policy (marijuana use), and unauthorized guests on their property, as well as their banned list, keeping the criminal element off their property.

The Director and some of the residents of Seaford House presented the Seaford Police with a shadow box they made along with some goodies and hand sanitizer for our officers to thank us for our continued efforts on their behalf.



### **Traffic**

Seaford PD participated in Office of Highway Safety's July Distracted Driving Mobilization program for a total of 11.25 hours; there were 3 cell phone use arrests, 1 speeding arrest, 1 improper lane change arrest, 1 wanted person arrest, and 10 other traffic arrests reported.

### **Training**

Sr. Cpl. Laurion and Pfc. Thompson attended National Highway Traffic and Safety Administration Refresher/Update Course on July 11, 2018.

On July 16, Chief attended a School Safety Symposium at Dover Downs hosted by Delaware Emergency Management Agency.

PtIm. Palm and PtIm. Wyatt attended Sex Crimes Investigations Course on July 18, 2018.

On July 17 and 18, 2018, Chief and Dispatch Administrator Anita Bell attended Crisis Management for School Based Incidents for Key Decision Makers.

Chief and Sgt. Miller attended a training workshop at Delaware State University on Implicit Bias. This training involves teaching officers the skills to conduct fair and impartial investigations which is right on track with our mission statement.

Emailed to Chief Kracyla and Chief Wilson on July 16, 2018:

Please allow me to express my gratitude for the outstanding representation your departments provided during the 24th Annual Riverfest over this past weekend. From the many local fire departments that provided water support, Sussex County Paramedics, Sussex County Emergency Operations, Delaware State Police Officers and Equestrian Units, and your own forces I am sure

the interdepartmental coordination you undertook was intensive yet it was seamless in its appearance.

Please extend my thanks also to the many men and women who served this weekend. Their efforts were essential in ensuring a safe and enjoyable event for all to attend. Your collective efforts have not gone unnoticed, and they are much appreciated. There are undoubtedly some organizations that I have failed to mention. If so please include them in my thanks.

It is with great pride that I serve as Liaison to the Seaford Volunteer Fire Department and the Seaford Police Department. If there is anything I can do to advance the goals of your departments I am eager to have you make them known.

Councilman Mulvaney reported that Royal Farms crew set the transformer and hooked up the primary side. The electric department continued to hang door hangers in advance of the AMI meter changes and performed monthly substation checks. Riverfest work consisted of setting up the electric hookups and hanging the banners. They are reversed the task of taking down the banners and disconnecting the electric hookups.

Greg Brooke and Nick Moore attended the second week of lineman school in Virginia. There was one outage of note in Martin Farms affecting approximately 20 homes for 1 ½ hours caused by a storm related to a tree branch.

Director of Electric, Bill Bennett responded to Martin Farms storm outage. Each day the AMI meter project requires daily conference calls and getting the NextGen crew set up and stated on that day's meter changes.

The department will continue hanging door notices in advance of the AMI meter deployment and respond to NextGen if a problem arises. They will continue demolition at Central Substation and working on the new circuit 330 along with the last two problems found in the infrared scan.

Councilman Holland reported that a meeting was held with DP&L regarding Sussex Highway joint use work. Met with a property owner and tenant on Sussex Ave Ext. about planned Tull Drive improvements. Attended the agenda review with several area pastors and the customer service meeting. A meeting was held with Mayor Genshaw and Carl Luft about services that Delaware League of Local Governments provides.

Attended and participated with Riverfest. City Manager Anderson spoke at the Delaware Decision Makers luncheon at DTCC. Attended a meeting with DOT and potential occupants of the old Pizza Hut location. Attended the MS4 kick off meeting with GMB.

In Information Technology, worked on Communications Center desk wiring cleanup and computer replacements. Set up three new PC's for Lisa, Bobby and Room 121 at City Hall. Server updates were completed on Tuesday and Wednesday afterhours. Worked on monitor bulk order and assisted with remote disconnect. Riverfest, filing and office cleanup was performed. Routine calls for assistance were completed.

In Administration, preparation for FOP negotiation meeting was completed and worked with staff on the AMI project meter swap. Preparing for the annual audit, prepared and mailed annual property tax bills. Assisted with annual Riverfest event and attended DEMEC benchmark project meeting. All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilman King reported the Nutter Park swing set installation project was completed on July 13, 2018. He showed pictures of before and after the installation of the new set. Each year at the Jay's Nest, mulch is replenished that has been compacted down and/or kicked out of the Jay's Nest. This year, our vendor recommended that we double our order to really make a difference for the upcoming year. Some before and after pictures were shown of the mulch and how much difference it made.

Riverfest 2018 was held on July 14<sup>th</sup> with theme being "Tiki Time on the Nanticoke". Some statistics for the event:

- Over 500 floaters for the annual float-in
- 120+ kids at our children's area
  - All 3 kid's entertainment shows were well attended
- 89 cars for the car show
- Over 60 vendors registered

Councilman King then read an email that he sent out to City staff.

I found myself on the other side of the fence at this year's Riverfest!  
In year's past I was the spectator. This year Kristi and I were volunteers.  
What an eye opening experience for us!  
I never knew that this amount of work went into making this event a reality,  
Not to mention the planning that lead up to this event.

Every department should be very proud of their accomplishments. This is truly a team event, and every department playing a critical role in making Riverfest a success.

Over 500 floaters

120+ Kids at the children area

89 cars for the car show

Over 60 vendors registered - for this year event.

And all of the volunteers! Truly incredible! I always assumed city employees were getting paid! But in reality they were truly volunteers.

Definition of Volunteer -

Volunteer - a person who freely offers to take part! This speaks volume around their commitment, passion and the love for our city!

I would personally like to thank everyone that was involved in making this event a huge success. It was a GREAT DAY for our city, business partners, visitors, and residents!  
The feedback has been phenomenal!

Once again Thank-You for all you do to make our city great.

With no further comments, Mayor Genshaw called for a motion to close the regular Council Meeting. Councilman Mulvaney made a motion to close the regular Council Meeting. Councilman Holland seconded the motion; the motion so passed with all present voting in favor. The meeting was adjourned at 7:34 p.m.

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Charles D. Anderson, City Manager

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