

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

August 22, 2017

7:00 PM

Mayor David Genshaw called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilwoman Grace Peterson, Councilman Orlando Holland, Councilman H. William Mulvaney, III and Councilman Dan Henderson. City Manager, Dolores Slatcher, Assistant City Manager, Charles Anderson, City Solicitor, Jim Fuqua, Michael J. Bailey, Building Official, Bill Bennett, Director of Electric, Trisha Newcomer, ED/IT Manager, and Berley Mears, Director of Public Works, 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. Assistant City Manager Anderson stated that it has been requested to move Old Business #1 after New Business #1. All agreed to make this change to accommodate the City Solicitor's schedule.

Mayor Genshaw called for a motion to approve the minutes of the regular Council Meeting on August 8, 2017. Councilman Holland made a motion to approve the minutes from the August 8, 2017 Council Meeting. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

CORRESPONDENCE

Mayor Genshaw presented Correspondence #1, Thank you letter from Seaford High School Principal Terry Carson. Assistant City Manager read a letter that was sent to Trisha Newcomer, ED/IT Manager thanking the City of Seaford for being a sponsor on the cover of the 2017 Seaford High School Blue Jay folders.

NEW BUSINESS

Mayor Genshaw presented New Business #1, Present for the first reading an Ordinance of the City of Seaford to create a rental to home ownership incentive in Chapter 16 Exemption from Taxation, Article 4 Rental to Home Ownership Incentive. Trisha Newcomer, ED/IT Manager came up to present the information. The Economic Development Committee met on August 18, 2017 to discuss potential ways to aid homeownership. Mrs. Newcomer stated that the proposed ordinance is to encourage the conversion of rental property to owner occupied housing.

There are some qualifications that must be met in order to be eligible for the incentive. These qualifications stipulate that the qualifying house must be located in City limits, the residence has to have been used exclusively as a rental property for at least five years immediately prior to conversion and the new property owner must occupy the property within one year of the date of closing. An application will need to be submitted for the incentive; then it would go to the Economic Development Committee and Council for approval. She added that the buyer and seller must both be in agreement to participate in the program for the property to qualify. It was also noted that if the

new owner does improvements to the property; the seller is not eligible to benefit from those improvements if the property taxes were to change.

Mrs. Newcomer stated that for the buyer, the City will abate the City property tax charge for a qualifying property for five years after occupancy by the property owner. The City will graduate the City property tax charge for a five year period i.e. (year 1= No Property Tax Charge; Year 2 = 20% of the tax assessment) until year six; when the property will be charged the full property tax assessment in effect at such time. The tax incentive is non-transferable.

The seller would benefit by the City providing an incentive equal to five times the full property tax assessment in effect at the time of transfer to a qualifying property owner. The City will disburse the Seller's incentive once the qualifying buyer occupies the property.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked for clarification about Section 16.4.3 H which reads for the seller, the City will provide an incentive equal to five times the full property tax assessment in effect at the time of transfer to a qualifying property owner. Mrs. Newcomer stated that it is five years' worth of property taxes. Assistant City Manager Anderson added for example, if the amount of property taxes is \$100.00 per year then the property owner would be eligible for a \$500.00 incentive payment.

Assistant City Manager Anderson stated that at this time, the incentive is for single family homes only. The idea is to start small not knowing what the budgetary impact of the program will be and make changes from there. Mrs. Newcomer added that public information will be developed that will assist in getting this information out to realtors and the community, if adopted by the Council.

Mayor Genshaw stated that the committee came up with this incentive program because it was found that people became landlords because of default and not being able to sell their homes. So this is an opportunity for them to get out of that business and provide incentives to them and the buyer.

Councilman Henderson asked if this was posted online. Mrs. Newcomer stated that it can be added to the City website as requested.

Mayor Genshaw presented Old Business #1, Present for the second reading an Ordinance of the City of Seaford, Delaware to create a Rental License in Chapter 5 – Businesses; Article 4.

Assistant City Manager Anderson reviewed some of the draft procedures for the Rental Licensing program prepared by staff. The charge for a rental license is recommended at \$50 per rental unit. As part of the rental license permit process an inspection may be made based on the inspection criteria set forth by the Code Department. Inspection criteria for rental units include; upon sale of the property; receipt of a complaint related to the unit or property. Additional inspections will be charged at the rate of \$50 per inspection should more than one inspection be necessary within the permit year. The Code Department will defer inspections of rental units that receive inspections from an approved Federal or State agency upon receipt of a copy of such inspection report for our files unless a complaint is received.

It was added that issues such as overgrown vegetation, rubbish, abandoned/nuisance vehicles and similar code violations will continue to be addressed with existing codes and inspection processes. For example, current practice of ride-by reviews and/or complaints received. Property Owners/Landlords renting units must be in compliance with the City Financial Good Standing Ordinance to receive a rental license per unit or the annual renewal. In an effort for property owners/landlords and managers to be fully prepared for the new requirements; the proposed implementation date for the Rental License Ordinance is planned for July 1, 2018. This will allow time for our rental unit owners to adjust their budgets and plan for the additional expenditures.

Mayor Genshaw solicited any questions or comments from Council. Councilwoman Peterson asked if a landlord does not purchase a license; will they be sent a bill within so many days? Assistant City Manager Anderson stated that there is an internal process that we would follow. We attempt to make contact with them first by calling them. If that is unsuccessful then a friendly letter is written to them and then a certified letter is sent to them. If they still do not respond, then a license is issued to them with an invoice included and if they do not pay the invoice then they will be in violation of our Financial Good Standing Ordinance. He added that we will work with them along the process to help as much as we can.

With no further questions, Mayor Genshaw called for a motion. Councilwoman Peterson made a motion to adopt an Ordinance of the City of Seaford to create a Rental License in Chapter 5 – Businesses; Article 4 as presented. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #2, Resolution to approve staff's submission of a 50% matching planning grant request to the Delaware Drinking Water State Revolving Fund Program for plans and specifications for the extension of water mains north on Sussex Highway; US Route 13. Berley Mears, Director of Public Works came forward to present the information.

Mr. Mears stated that there is a desire to run water and sewer facilities up Route 13 to serve the annexed areas. In order to do that, we need to prepare a preliminary engineering study and costing options for the work required. He added that there are 50/50 matching planning grants available for both water and sewer.

Mr. Mears stated that the proposal is to install approximately 5,500 feet of 16" water main, from its existing location north of Duck in Car Wash, under the branch to the Dolby farm where a proposed lift station (#16) may be installed as part of a County proposal. Additionally install approximately 4,550 feet of 12" gravity sewer main to the south side of the branch to serve annexed but largely un-developed areas along Sussex Highway. These grants would assist the City in providing plans for water and sewer service to annexed properties along the east side of Route 13.

He added that the engineering proposal for the water portion is \$29,600 and the engineering proposal for the sewer portion is \$46,200. A submittal for both proposals will be done to the respective funding agencies to apply for a 50% Matching Planning Grant for each.

Assistant City Manager Anderson added that this would give us the opportunity to have a plan and cost estimate to serve properties on Route 13 that have been annexed since about 2005. Once this

cost estimate is back, we can work with our legislators and other agencies to look for grant or other opportunities to fund the desired extensions.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked how our portion of the match would be paid for. Assistant City Manager Anderson stated that it would be paid for from the water and sewer reserves. Councilman Henderson asked when it would occur. Assistant City Manager Anderson stated that once we receive notification of the grant we will then go from there.

Councilman Henderson then asked if it was intended to have an immediate lift station? Mr. Mears stated that Judy has looked at it and she thinks that she can make it work with a gravity sewer extension. He added that she does want to do a survey but she does have some of the elevation numbers. Assistant City Manager Anderson stated that there may be a central lift station added somewhere in the area.

With no further questions or comments, Mayor Genshaw called for a motion.

Councilman Mulvaney made a motion to approve the resolution for the submission of a 50% matching planning grant request for \$36,600; to the Delaware Drinking Water State Revolving Fund Program for plans and specification for the extension of water mains north on Sussex Highway; US Route 13 as presented. The \$18,300 local match portion of the project to be funded with water reserve funds. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #3, Resolution to approve staffs submission of a 50% matching planning grant request to the Delaware Department of Natural Resources and Environmental Control, Financial Assistance Branch for plans and specifications for the extension of sewer mains north on Sussex Highway; US Route 13. The information for this agenda item was included in the presentation of New Business #2.

With no further questions or comments, Mayor Genshaw called for a motion.

Councilman Mulvaney made a motion to approve the resolution for the submission of a 50% matching planning grant request for \$46,200; to the Delaware Department of Natural Resources and Environmental Control, Financial Assistance Branch for plans and specification for the extension of sewer mains north on Sussex Highway; US Route 13 as presented. The \$23,100 local match portion of the project to be funded with sewer reserve funds. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #4, Resolution authorizing continued participation in the Downtown Delaware Commercial District Affiliate Program. Trisha Newcomer ED/IT Manager came forward to present the information. Mrs. Newcomer stated that we received our affiliation in 2011. She added that one of the requirements to participate was to have an active downtown group which we do have with Seaford Tomorrow who is actively engaged and meets regularly.

Mrs. Newcomer said that this is a request to continue Seaford's participation. She added that she believes that there may be different opportunities available than in the past.

Mayor Genshaw solicited any questions or comments from Council. Councilwoman Phillips-Lowe asked if this program was associated with DEDO. Mrs. Newcomer stated that DEDO is no longer; Downtown Delaware stayed intact with all of the changes that occurred.

With no further questions, Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the resolution for the City of Seaford to continue as a Commercial District Affiliate member in the Main Street program. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #5, Trisha Newcomer, ED/IT Manager to request approval and funding authorization to participate in the Downtown Roadmap Project provided thru Downtown Delaware. Mrs. Newcomer stated that the group that helped the City do the Conceptual Vision Plan is coming back wanting to do a deep dive into the information that was previously presented with the Conceptual Vision Plan. During this time, they will look at what has been implemented from the Plan, check to see that all of the original stakeholders that were part of creating that plan are still onboard and assist with a direction going forward.

Mrs. Newcomer added that the Conceptual Vision Plan does change as the community changes. So, the group would like to look at the items that may no longer be needed and add items that were not opportunities when the previous plan was put in place.

They are planning to come for a week and include all the community as part of a public event. In order to participate, there is no cost up front, but they are asking for a commitment of \$5,000 to implement the Plan. Mrs. Newcomer has made contact with them and they have agreed to allow us to put this in our FY19 Budget since it was not budgeted for this year.

Mayor Genshaw called for any questions or comments from Council. Councilman Henderson said that he has an issue with committing money for a future budget. He added that this will span an election cycle and this would commit money that a future body would have to honor. He asked if that has even been done in the past. Mrs. Newcomer stated that this was done with the Conceptual Vision Plan in the amount of \$20,000. She added that the money does not all have to be in cash, there are opportunities to do some in-kind services. Depending on what the project is; she will look to do all of the in-kind items possible in order to save money.

With no further questions or comments, Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made a motion to approve participation in the Downtown Roadmap Project provided through Downtown Delaware to provide \$5,000 toward implementation of several key initiatives that result from this project by December 31, 2018; to be funded as part of the FY19 budget. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented Old Business #2 , Second Reading for an Ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware related to "Electricity" by adding text to Article "Meter Installation, Power Factor, and Demand Determination". Assistant City Manager Anderson stated that this would allow a customer to get a manual read meter vs. an automated meter as part of the AMI project and staff would manually read the meter monthly generating a bill.

Mayor Genshaw asked if there have been any questions or comments since the last reading. Assistant City Manager Anderson stated that he did meet with one customer and he provided him the information and asked him to get back with him with any questions, however, he has not heard back from him.

With no further questions or comments, Mayor Genshaw asked for a motion. Councilman Henderson made a motion to adopt an Ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware relating to "Electricity" by adding text to Article "Meter Installation, Power Factor, and Demand Determination". Establishing a provision for a manual read electric meter as presented. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented Old Business #3, Bill Bennett, Director of Electric provided an update on the progress of the Pine Street Substation Construction project. Mr. Bennett showed pictures of the concrete that was poured for the transformer pads and retaining walls. Mr. Bennett explained the process of pouring the concrete and all of the requirements that have to be met. He then showed pictures of the progress of the site since he gave a report at last month's Council meeting. The project is going well and is on schedule.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- Trinity Logistics Event; August 24, 2017 at 5:30 p.m.
- September 4, 2017 City offices will be closed – Happy Labor Day!
- September 4, 2017 City Parks and Recreation bus trip to Camden Yards – Orioles vs. Yankees; \$70/ per person – departure 9:00 a.m. For more information contact the Recreation Department at 629-6809.
- SCAT, Bridgeville Fire Hall, Bridgeville, at 6:00 p.m. social, 6:30 p.m. dinner, September 6, 2017
- City Hall will be open from 8:00 a.m. to 5:00 p.m. starting September 5, 2017

COMMITTEE REPORTS

Councilwoman Phillips-Lowe reported that the SPD prepared for and handled AFRAM on Saturday, August 12, 2017 with several officers, the Command Vehicle and "McGruff the Crime Dog" present. No complaints were reported during the event. CID recovered 44 bags of heroin; the investigation is continuing. Patrol handled an overdose on Saturday, August 19, 2017 at Meadowbridge Apartments; the victim was treated and released from Nanticoke Memorial Hospital. On August 16, 2017 Cpl. Kyle Linville was released from light duty and scheduled to return to his regular shift on August 18. In conjunction with Cpl. Linville's return to "A" Squad, Ptlm. Wyatt will be

transferred back to his regular assignment on B squad, effective that same date. On August 16, 2017 Ptlm. Wilson and Ptlm. Wyatt attended a Youth Crimes class at the DSP Academy. Two recruits will begin training at the Delaware State Police Academy on August 28.

Councilwoman Peterson reported that Building Official Mike Bailey is performing plan reviews for new permits, routine inspections for ongoing projects, and violations throughout the City and training our new Code Inspector. Shannon Elliott transferred to the Code Department as the Code Officer on August 21, 2017. Also, 194 permits have been issued to date. KFC (Kentucky Fried Chicken) is remodeling the exterior of their building.

Superintendent of Parks and Recreation Katie Hickey reported that parks is cutting grass at the Stein Highway bridge with the help of Public Works. They did the prepping for the sports fields, the weekly grass cutting and trash pick-up. The Parks Department is working with a new employee, David Bennetch. Recreation's Youth Flag Football has 17 teams and the Men's Flag Football has 12 teams starting in September. The Men's Slow Pitch started the week of August 14, 2017. Also, there are seats available for the Orioles bus trip on September 4th (Labor Day).

Councilman Mulvaney reported that the Public Works Department's two new hires passed the flaggers course and are presently taking the water certification course. They repaired a water leak on Hurley Park Drive damaged by an electrical contractor; replaced a fire hydrant on Arbutus. The lead and copper results returned and were sent to the State and the residents who participated; all results were good. The sweeper fuel injectors have been repaired. A water service valve was replaced on Nylon Blvd.

The Wastewater Treatment Plant and the Leachate treatment, continues to perform well with no major maintenance issues.

Councilman Henderson reported that Director of Electric, Bill Bennett, reported that department personnel continued to unload more freight at the Pine Street Sub-Station site. Disconnects for non-payment were performed. The damaged pecan tree at the Mount Olivet/City Parking Lot has been removed. Bill attended a preconstruction meeting regarding the distribution improvement portion of the Pine Street Substation Expansion and Electrical Distribution Improvement Project. He was also present at the monthly progress meeting for the entire project. Bill met with the contractor onsite at the Pine Street Sub-Station. He participated in a biweekly AMI Project conference call. Department personnel began performing electric meter inspections. There were outages to report:

On Friday August 11 about 638 customers lost power due to an automobile accident that broke off a utility pole. Power was restored within 1½ hours while the pole was replaced. Lighting caused an outage on Friday August 18 on Circuits 320 and 210. It effected approximately 857 customers.

Councilman Holland reported that meetings that were attended include the DEMEC board meeting, prepared the Council agenda and presentation, AMP project call and IT work status call. Other work included participated in Parks Tech 1 interviews, Code Officer interview, attended the AFRAM festival and attended a conference call with DNREC – copper limits at the WWTP.

In IT, a kickoff meeting for SeeClickFix App development was held with an estimated roll out of January 2018. The operating system was repaired due to MS updates, AMI equipment was worked on, setup for new network error, began migration of some equipment into new server room and basement and routine IT service and assistance calls were completed.

In Administration, preparation was done for audit. A progress meeting was attended for the substation project, review of job description and internal/external advertisements. Reviewed health insurance restated plan documents and worked with Integra on life insurance renewal. All other business is routine – financial management, payroll and benefits, purchasing, billing, customer service, etc.

Mayor Genshaw congratulated the Seaford Volunteer Fire Department on a successful Burn Tournament this past weekend.

Mayor Genshaw called for a motion to close the regular meeting of Mayor and Council. Councilwoman Peterson made a motion to close the regular meeting. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor. Mayor Genshaw closed the regular meeting at 8:02 p.m.

Charles D. Anderson, Assistant City Manager

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