

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

August 27, 2013

7:00 PM

Vice-Mayor J. Rhea Shannon called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilwoman Grace Peterson and Councilman David Genshaw. Dolores J. Slatcher, City Manager, Charles Anderson, Assistant City Manager, and June Merritt, Director of Finance, were also present.

Councilwoman Peterson offered the opening prayer and Vice-Mayor Shannon led those present in the Pledge of Allegiance.

Vice-Mayor Shannon solicited changes to the agenda. City Manager Slatcher stated that there were none.

Vice-Mayor Shannon called for a motion to approve the Minutes of the Regular Meeting of August 13, 2013. Councilman Genshaw made the motion to approve the minutes of August 13, 2013. Councilwoman Peterson seconded the motion. The motion so passed with all present voting in favor.

City Manager Slatcher then presented a letter of resignation from Mayor William G. Bennett, effective August 27, 2013. The letter explained that recent changes in his employment have caused him to make choices for his future. He explained that his 3+ years on Council and 15 months as Mayor have been knowledgeable, challenging and rewarding, and thanked the other elected officials for their support during this time.

Vice-Mayor Shannon called for a motion to accept the resignation. Councilwoman Phillips-Lowe made the motion to accept the resignation of William G. Bennett from the Office of Mayor. Councilwoman Peterson seconded the motion. The motion so passed with all present voting in favor.

Vice-Mayor Shannon then called for a motion to appoint Councilman David Genshaw to additionally hold the office of Acting Mayor. Councilwoman Peterson made the motion to appoint Councilman David C. Genshaw to become the Acting-Mayor until the next Municipal Election is held and a new Mayor is seated. Councilwoman Phillips-Lowe seconded the motion. The motion so passed with all present voting in favor.

Vice-Mayor Shannon then changed seats with Acting-Mayor Genshaw.

Acting-Mayor Genshaw then asked Mr. William G. Bennett to come forward. He presented Mr. Bennett with the gavel which had been given to him by his family when he was elected Mayor. On behalf of Council, he thanked Mr. Bennett for his years serving as both City Councilman and Mayor.

Acting-Mayor Genshaw closed the Regular Meeting and opened the Public Hearing at 7:06 p.m.

Assistant City Manager Charles Anderson presented Public Hearing # 1, B.G. Joseph, Inc., property owner(s) of Tax Map and Parcel 3-31-6.00-444, located at 22803 Sussex Hwy., are requesting a final site plan review and approval for a 4,811± sq. ft. car wash with parking and other site improvements. He introduced Randy Duplechain of Davis, Bowen & Friedel, who is the engineer for the project, and Garrett Grier, who is the owner of the car wash. He explained that these gentlemen were present to answer any questions about the project.

Assistant City Manager Anderson said that the project is called the Burris Commercial Development, and that the car wash will be called the Duck-In Car Wash. He explained that the project was submitted as B.G. Joseph Commercial Development, but has now been renamed as Burris Commercial Development. It is 4,800 ± sq. ft car wash building which will be constructed. The DeIDOT Corridor Preservation Road will be partially constructed with this phase of the project. The property is zoned C-2 Highway Commercial, which permits this type of use. Preliminary

approval was granted in November 2012 for all phases of the project. This final approval is only for the Car Wash phase. There will be a crosswalk installed, as well as some curbing at the entrance. The car wash features stacking lanes which enter the building through the rear and exit out the front. A variance was granted in 2007 for relief from the entrance distance location for a car wash, which is usually a minimum of 300 feet from an intersection. The new entrance road has been named Spotless Street, and the corridor preservation road which runs north/south parallel to Sussex Hwy. will be called Preservation Drive. Preservation Drive will eventually connect to another new development, the Villages at Stoneybrook. Water and sanitary sewer facilities will be installed in part by the developer along Sussex Hwy. and Spotless St., and dedicated back to the City of Seaford for long-term maintenance. The City is currently undertaking the sewer crossing project to extend services across Sussex Hwy. Electric service already exists along Sussex Hwy. The City's engineer, GMB, Inc., has completed their review of the site plan and issued a letter of no objection for the project. The project has received agency approvals from DeIDOT, Sussex Conservation District, State Fire Marshal, Division of Public Health, and DNREC.

Acting-Mayor Genshaw solicited any questions from the public. One person asked if the car wash location is next to Clark Pools. Assistant City Manager Anderson confirmed that the location is just north of Clark Pools. Mr. Earl Conaway asked if sidewalks will be installed as part of the project. Assistant City Manager Anderson said that there will not be sidewalks installed in front of the building, but there will be a crosswalk and handicap-accessible curb cuts. He said that sidewalks will be installed per DeIDOT regulations once further development of the road becomes a reality. City Manager Slatcher added that current DeIDOT regulations require that sidewalks be installed, but earlier developments did not require them. Therefore, there is not currently sidewalk parallel to Route 13 as DeIDOT has not installed it. Sidewalks are supposed to be installed with new developments as they occur, but DeIDOT regulations are not requiring that sidewalks be installed as part of this project.

Acting-Mayor Genshaw then solicited any questions from Council. Councilwoman Peterson asked how long the sewer extension would take to complete. Assistant City Manager Anderson said that the project has a 90-day contract, and that work began on August 19<sup>th</sup>. Councilwoman Phillips-Lowe asked what the anticipated date is for start of construction on the car wash. Mr. Grier said that he is hoping construction can begin in October and the car wash can open in March. He explained that April is their busiest month, so they are hoping to open a month before that. Councilman Shannon asked if there will be people working inside the car wash. Mr. Grier said that there will be. He explained that the Milford location has about 27 employees; a cashier inside, a person outside taking orders and assisting customers as they pull up, and crews working on vacuuming, washing and drying. Councilman Shannon asked if it would be like the car wash located in north Salisbury. Mr. Grier said that it is similar.

Acting-Mayor Genshaw closed the Public Hearing and reopened the Regular Meeting at 7:16 p.m.

Assistant City Manager Anderson then presented Findings of Fact:

- Project is located adjacent to Sussex Hwy.
- Tax ID #3-31-6.00-444.00
- Preliminary Approval was granted in November 2012 for all phases of project. This final approval is only for the Car Wash phase on Lot 2.
- Property is zoned C-2 Highway Commercial
- A variance was granted on 12/27/07 for relief from the entrance distance location.
- Obtained Agency approvals from:
  - DeIDOT – Letter of “No Objection” to record subdivision
  - Sussex Conservation District – Erosion & Sediment Control Plan approval
  - State Fire Marshall – Major Site Plan
  - Division of Public Health – Approval to extend water mains
  - DNREC – Approval to extend sewer mains
- The City Engineer has issued a “letter of no objection” for the project.
- Planning and Zoning made a favorable recommendation to Council.

Acting-Mayor Genshaw called for a motion. Councilman Shannon made the motion to approve the final site plan for B.G. Joseph, Inc., property owner(s) of Tax Map and Parcel 3-31-6.00-444, 22803

Sussex Highway, and to approve a 4,811± sq. ft. car wash with parking and other site improvements as presented. Councilwoman Peterson seconded the motion. Acting-Mayor Genshaw solicited any questions on the motion. There being none, he called for a Roll Call Vote:

Councilwoman Phillips-Lowe voted in favor based on Findings of Fact;  
Councilwoman Peterson voted in favor based on Findings of Fact;  
Acting-Mayor Genshaw voted in favor based on Findings of Fact;  
Councilman Shannon voted in favor based on Findings of Fact.

Acting-Mayor Genshaw confirmed that the motion passed with all present voting in favor. He noted that Councilwoman Jones was not present for the Roll Call Vote.

Acting-Mayor Genshaw asked if there was any correspondence. City Manager Slatcher said that there was none.

City Manager Slatcher presented Old Business # 1, second reading of amendment to Chapter 11 of the Municipal Code of Seaford, Delaware, relating to "Sewers." She explained that this is an update to the existing Code, and that the information was previously distributed to Council with changes highlighted.

Acting-Mayor Genshaw called for a motion. Councilwoman Peterson made the motion to approve the amendment to Chapter 11 of the Municipal Code of Seaford, Delaware relating to "Sewers" as presented. Councilwoman Phillips-Lowe seconded the motion. The motion so passed with all present voting in favor.

City Manager Slatcher presented Old Business # 2, second reading of amendment to Chapter 14 of the Municipal Code of Seaford, Delaware, relating to "Water." She explained that this is an update to the existing Code, and that the information was previously distributed to Council with changes highlighted.

Acting-Mayor Genshaw called for a motion. Councilwoman Phillips-Lowe made the motion to approve the amendment to Chapter 14 of the Municipal Code of Seaford, Delaware relating to "Water" as presented. Councilman Shannon seconded the motion. The motion so passed with all present voting in favor.

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

- SCAT Meeting – September 11<sup>th</sup> (to date, no one is scheduled to attend)
- Ribbon Cutting at Bob Dowd Stadium – September 12<sup>th</sup> at 6 p.m.

#### **COMMITTEE REPORTS**

Councilman Shannon reported that the Police Department is participating in the National Impaired Driving Crackdown during the month of September. Officers are preparing to patrol upcoming school sporting events. The crossing guard has resumed his duties at the intersection of Stein Hwy. and Market St. The department is also continuing to prepare for the Community Night Out, which will be held on September 26<sup>th</sup>.

City Manager Slatcher reported that business is routine in the Administration Department, with bills due on September 5<sup>th</sup> and disconnects being done on the 6<sup>th</sup>. June Merritt added that both the Electric and Public Works Departments are reading meters this week. She said that preparations continue for the annual audit, which will be done next week.

Acting-Mayor Genshaw reported that the Recreation Department is gearing up for football season. He said that there are currently 12 youth flag football teams and 6 adult teams. He said that there has not been much interest in the youth tackle football program this year. He reported that the Sports Conductor online signup website is not quite ready yet, but that it should be a great program once the kinks are worked out. Scott Coulbourn has

met with the Boys and Girls Club to try to work out an arrangement for winter basketball. He reported that the Parks Department did a great job preparing the fields at the Sports Complex for the annual firefighters' softball tournament, which was just held and raised about \$10,000. The last movie night at the Ross Mansion was held on August 23<sup>rd</sup>. Attendance was down because of the weather, but overall it was a great season, and they are looking forward to next year.

Councilwoman Phillips-Lowe reported that the Public Works Department has been spraying weeds in preparation for curb painting. Staff has also been working on replacing signs, filling potholes, and fog inspections at various establishments. WWTF procedures have been routine. There have been several compost sales, and the newest employee began wastewater classes on August 26<sup>th</sup>. She reported that Trisha has been working on the final grant report for Riverfest, which is due at the end of September. She has been working on computer issues and cleaning up individual computer drives. The Sports Conductor link has been added to the website, and will be activated soon. There is also a new link on the website offering monthly tips on how to save money on electric, provided to us by DEMEC. The Cancer Walk is scheduled for the first Tuesday in October. She reported that Seaford High School is working toward a Certificate of Occupancy for the building. The sewer work has begun for the Route 13 crossover. Work is underway on the new sidewalk at Hooper's Landing, and work is scheduled to begin next week for the bridge and boardwalk.

Councilwoman Peterson reported that the Electric Department will resume work on the Gardner Asphalt distribution line extension this week. The electric system design work for the Riverplace Apartments was completed last week. Engineering is underway for the relocation of electric utilities impacted by the DelDOT Route 13 intersection improvement project. All other business within the department is routine. There were no outages to report in the last two weeks.

Acting-Mayor Genshaw added that he was humbled by the vote of confidence from his colleagues to fill the position of Acting-Mayor, and he promises to do his best. He said that his primary focus will be to grow and retain business in the City of Seaford.

With no further comments, Acting-Mayor Genshaw called for a motion to close the Regular Meeting of Mayor and Council. Councilman Shannon so moved. Councilwoman Peterson seconded the motion and the motion so carried with all present voting in favor. Acting-Mayor Genshaw closed the meeting at 7:29 p.m.

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Dolores Slatcher, City Manager

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