

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

September 22, 2020

7:00 P.M.

Mayor David Genshaw called the Regular Meeting to order at 7:00 p.m. with the following present: Councilman Dan Henderson, Councilman Matt MacCoy, Councilman Orlando Holland, Councilman Jose Santos, and Councilman James King. City Manager, Charles Anderson, Director of Economic Development and Community Relations, Trisha Newcomer, City Clerk, Tracy Torbert, and Building Official, Mike Bailey, were also present.

Councilman King 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 on September 8th, 2020. Councilman Henderson made a motion to approve the minutes of the Regular Meeting on September 8th, 2020. Councilman MacCoy seconded the motion. The motion so passed with all voting in favor.

Correspondence

City Manager Anderson shared correspondence provided by Sara Lee Thomas, President of the Downtown Seaford Association, Inc., stating as follows: "Our Halloween parade originally scheduled for Wednesday, October 28, 2020 has been cancelled. This decision came after much discussion during our monthly meeting held September 21, 2020. We will not, due to the Coronavirus, place anyone's health in danger. We are hopeful that our parade will resume on the Wednesday before Halloween in 2021."

Committee Reports

Councilman Henderson reported on Fire, Police and, EMS.

Seaford Volunteer Fire Department, Inc.

President Matt Read reports:

1. An analysis of the Atlanta Road rental property is being ongoing. A review of the feasibility of repair, or other options are under consideration.
2. A coded Audio/Visual alert system is planned for installation throughout the facility to warn members of events/calls. This will be separate from the audio system that was recently installed.
3. The Fire Department is seeking to collaborate with the Seaford School District for youth recruitment.

Notes from SVFD Fire Chief John Wilson's report:

Alarms to Date (9/21/2020) (1200 hours)

FIRE / RESCUE **549**; averaging 2.07 calls per day to date.

EMS **2367**; averaging 8.9 calls per day to date.

Significant Calls: None to Report

Apparatus: All Apparatus are In Service

EMS:

- NEW Ambulance B87 specification: 1st reading of capital expenditure is complete, 2nd and final reading and vote is Wednesday, September 23, 2020
- Posted a new employee hiring notice due to a resignation of one of the current employees
- Firefighter / EMT Samantha Lewis and Firefighter/ EMT Brandon Bailey have both completes all the requirements to come off probationary status and become full time employees.

Training / Meetings / Business:

- September 16, 2020; Training was Elevator Emergencies; 20 members were present
- Next Training is Wednesday, October, 21, 2020

EVENTS:

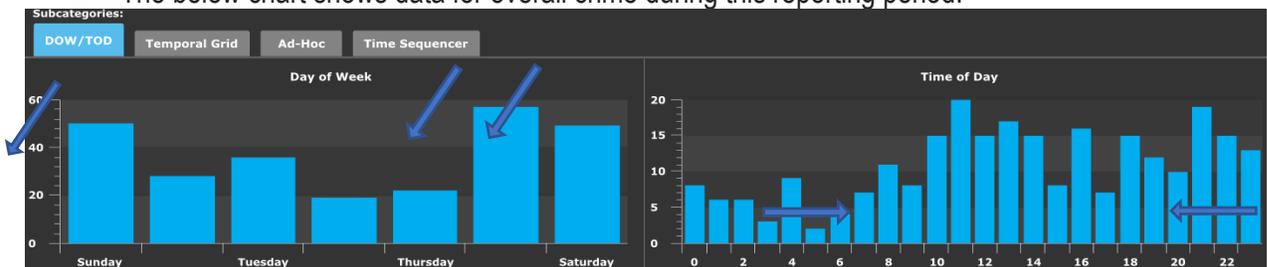
- Aerial Testing is being done today September 21, 2020; This will be in accordance with NFPA 1911
- Fire Hose Testing in accordance with NFPA 1962; completed with about 7 section of hose failing
- Ground Ladder Testing in accordance with NFPA 1932; Complete all pass

Police Activity during period of Friday September 04, 2020 - Sunday September 20, 2020 as reported by Chief Marshall Craft:

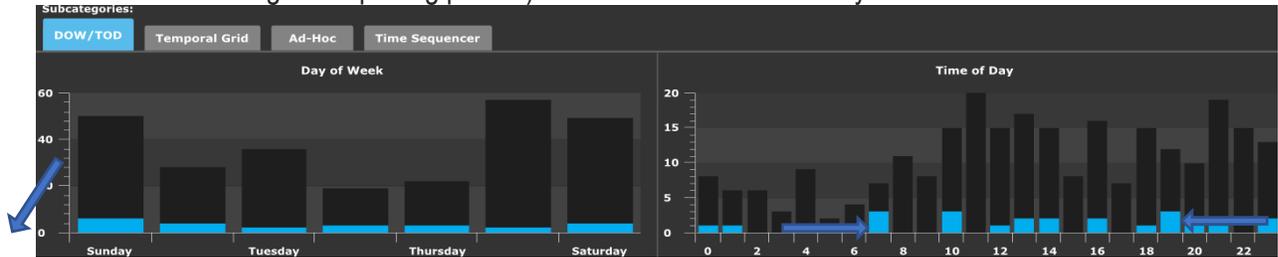
INCIDENTS	2020 YTD	2019	2018
All crimes	4305	6,619	4918
Drug Crimes	140	249	390
Overdose	22	25	23
All Traffic Contacts (E-Tickets)	5281/ (1124)	7,819 (1,782)	6387 (3,617)
All DUI	27	42	52
All Crashes	398	584	533
False Alarms	315	494	333

Criminal

- All complaints: **261** (defendants: **24** adult & **1** Juvenile)
 - Felony: **17**
 - Misdemeanor: **47**
 - Violations: **3**
 - Civil: **0**
 - Other: **194**
- 88% Clearance Rate (overall)
- Friday, Saturday and Sunday from 0700-2400 hours (overall crime)
- The below chart shows data for overall crime during this reporting period:



Additional Crime Data below: There were a total of **24 complaints** consisting of Assault, Aggravated Assault, Burglary, Robbery, Sex assault and Theft; Excludes Shoplifting: (46% clearance rate during this reporting period.) Most occurred on Thursday from 0700-2300.

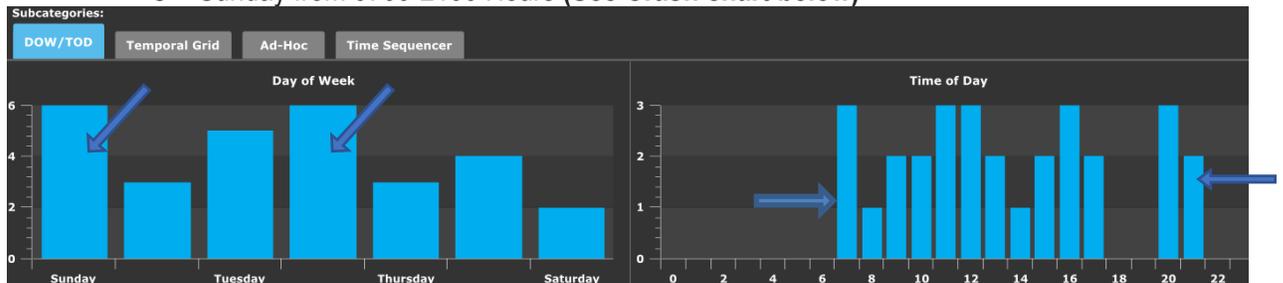


Drug Complaints:

- Drug Crimes: **6**
 - Adult Arrest: **4**
 - Juvenile Arrest: **0**
 - Pending Inactive: **0**
 - Prosecution declined: **2**
- Search Warrants(s): **1**
- Overdose: **0**

Traffic

- Citations: **326** traffic contacts resulting in **68** citations
 - **25** Moving Violations
- DUI: **0** (0 accident related DUI's)
- Crashes: **29**
 - Injury: **3**
 - Non-Injury: **26**
 - **Additional Information: (Driver distraction primary cause of accident)**
 - Hit & Run: **7**
 - Alcohol/drug related crash: **0**
 - Bicycle: **0**
 - Sunday from 0700-2100 Hours (**See Crash chart below**)



Significant Events:

On 09/06/20, SPD dispatched at State St. E/O Pine St. for a reported armed Robbery. Investigation revealed two unknown subjects wearing face masks approached victim, who was sitting in his car, struck him in the head with the handgun and stole cash and his I-Phone 7. Case is pending active. #71-20-7124.

On 09/07/20, SPD dispatched to Market ST. Extended S/O Jays Nest regarding an allegation of Terroristic Threatening that involved a concealed handgun. Both Victim and Suspect are teenage juveniles. #71-20-7150. The suspect was arrested and released on an unsecured bond with a no contact order with victim. #71-20-7150.

On 09/07/20, SPD dispatched to N. Front ST. for a reported Armed Robbery. Investigation revealed two unknown black males approached the victim, who was standing outside near his vehicle, displayed a handgun and stole the victim's cash and Samsung Galaxy cell phone. The case is pending active. #71-20-7151.

On 09/11/20, SPD was dispatched to Days Inn for a reported disorderly conduct. Investigation revealed Defendant Nasier Gibbs had an active warrant on file from Laurel PD and was in possession of seven (7) Counterfeit One Hundred Dollar Bills. Defendant was arrested and released on an unsecured bond pending a later court date. #71-20-7261.

On 09/12/20, SPD was dispatched to E. High St S/O Conwell St. for an Assault 2nd. Investigation revealed that the victim was drinking alcoholic beverages with Defendant Arnoldo Muco and two other unknown suspects' when, for an unknown reason, they assaulted him causing injury consisting of a broken nose, facial lacerations and lacerations on both his arms and wrists. Victim transported to NMH where he was treated and released. Defendant was arrested and committed to SCI in default of a secured bond. Case remains pending active. #71-20-7285.

On 09/15/20, SPD officer observed defendant Christopher Vituer, who was known to have an active felony warrant, drive past his location. The officer attempted to initiate a traffic stop on Pennsylvania Avenue that resulted in a vehicle pursuit after the defendant failed to stop. The defendant ultimately fled from his vehicle on Pine St. and was observed throwing a handgun onto the ground, that was recovered by SPD, before he fled into a residence. The officer entered the residence in fresh pursuit and apprehended the defendant without further incident. The vehicle was towed to SPD where a search warrant was executed. Defendant was arrested for possession of a firearm by a person prohibited, failure to stop at command, tampering with evidence and numerous related charges.

On 09/16/20, SPD dispatched to Motel 6 for a late reported rape. Victim reported she was staying with four subjects a month ago when she was raped. Case pending active. #71-20-7386.

Admin

- Attended virtual Director, Staff, Liaison and Unified Command meetings as scheduled - Chief
- 09/04/20 - Met with M/CPI. McCabe, DSP, regarding a background Investigation - Chief
- 09/08/20 - ZOOM Grant meeting FCVC - Chief
- 09/10/20 - Meeting with DE U.S. Attorney, Dave Weiss, SPD - Chief
- 09/16/20 - Meeting with Local Business owner ref. community engagement- Chief
- 09/18/20 - Meeting at SPD building renovation walk through - Chief, City Manager, etc

Training

- 09/07 & 09/08 - Completed Mandatory In-Service Training (Use of Force Policy & Active Shooter Policy and Non-Lethal training (SPD Members)
- 09/14/20 - Week long Child Advocacy Center / Forensic Interview training - SRO Justice
- Supervisory Training Academy (once a week through Nov 4th) - D. Chief Rapa

Event:

- SPD continues to support volunteerism by assisting the Nanticoke Senior Center with meal deliveries to our homebound community members on Mondays, Wednesdays and Fridays.
- 09/20/20 - Attended service at Church of God (Clarance St), brief service at Macedonia AME Church on N. North ST, visited Prayer Walk at Nutter park, and visited Special Olympics soccer training at SHS field - Chief

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

Public Hearing

Public Hearing Item #1: Belle Ayre Investments LLC., is seeking a rezoning request of fifty-one (51) single family lots from an R-1 Low Density Residential Zoning to R-3 High Density Residential Zoning, Tax Map and Parcel # 531-10.00-407.00 through 464.00 to accommodate the proposed building of one hundred thirty-two (132) townhome units.

Building Official, Mike Bailey, came forward and explained that Public Hearing Item #1 is for Belle Ayre Investments LLC, located at Danfield Dr, Bristol Dr, Chatham Dr, Trere St, and Banbury St, Tax Map and Parcel #531-10.00-407.00-464.00. He stated that the current zoning on those properties is R-1 Low Density Residential and the owners are requesting to rezone 51 single family lots from R-1 Low Density Residential to R-3 High Density Residential to accommodate the proposed building of 132 townhomes. He went on to share an aerial view of the area in question and stated that this is currently vacant land located in the Belle Ayre subdivision with no utilities currently run to the property. He further noted that the request does comply with the comprehensive plan land use map as that area is designated for residential development regardless of the zone.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson noted that the tract of land in question was originally annexed into the City through a special election on November 7, 1988 with a vote of 272 for and 168 against with the Public Hearing held on October 11, 1988 with emphasis on the R-1 designation for this land because the original developer stated that single family housing was much needed in the area, which is still true 32 years later. He further noted that an adjacent tract of land was annexed into the City through a special election on January 13, 2000 with a vote of 12 for and 1 against, that area is now known as Governor's Grant. He stated that the City has an obligation to uphold the intent of the electorate that allowed this annexation to become a reality and as recently as February 2020 the Economic Development Committee has met to discuss the incentivization of single-family dwellings in the City. Councilman Henderson further inquired that if the residents originally approved this annexation with the emphasis on R-1 designation should there then be a special election held to change the deal with the residents and the City. City Manager Anderson responded that the way that the Zoning

Ordinance is written and the way that zoning changes occur, those decisions are made by Mayor and Council not taken to public for a referendum or vote. He further explained that there is no mechanism that is legal in order to provide that option. Councilman Henderson further clarified that Mayor and Council are the final arbiters. City Manager Anderson responded yes through the City process but any person who wants to appeal a decision made by City Council there are processes for an individual to appeal that would get the State courts involved, if desired.

Councilman Henderson further mentioned that there have been constituent complaints of increased speeding along Magnolia Dr. with the existing amount of development in the area and he believes that an addition of 81 units will only exacerbate the existing traffic problems in Woodside Manor. He further mentioned that Brighton Dr seems like it is underutilized while Magnolia Dr. seems to be overutilized but that cannot be said for sure without a traffic study. He further stated that in the available plots of available residentially zoned land there is 103+/- acres of R-1 and the 14+/- acres in question is about 14% of that total number; there is ample space available in R-2 zoning of 282+/- acres; and 135+/- acres in R-3 with the 14+/- in question at about 10% of that which in his opinion would put the available land use out of balance. He further mentioned that he believes his statements to be true based on his source materials from minutes of the regular meeting of Mayor and City Council from October 11, 1988 and a letter of recommendation from the annexation committee dated November 9, 1999 addressed to then Mayor Short as well as information from the City Zoning map and City administration. He further stated that the Planning and Zoning committee is tasked with determining if a task is legal and he believes that the zoning change is legal, however there is question whether it is an appropriate action.

Councilman King asked for clarification about the differences between R-1 and R-3 zoning ordinances and why the area was originally zoned R-1. Building Official, Mike Bailey, stated that zoning levels are not included in the comprehensive plan for land use just whether an area is designated residential or commercial. He further stated that there is a mix of zoning in that residential area for example, the area in question is zoned R-1 currently which is single family homes only, Governor's Grant to the north is R-2 which is also single-family homes only, to the East is R-3 which is multi-family townhomes, apartments, etc. City Manager Anderson further explained that Councilman Henderson had shared when each of those areas was annexed into the City and they each came in with two different residential zonings at the request of the original developers. He further explained that the original developer made their request for annexation under certain zoning requirements which was then, at the time, reviewed and approved through the City's process and no changes were requested or considered since the time that those properties were annexed. Councilman King further inquired about the parameters that are encompassed by each zoning level and the classifications/expectations of a property that is labeled at each zoning level. City Manager Anderson clarified that R-1 is the lowest density zoning with minimum lot size requirement of 7,500 square feet which allows approximately 4-5 lots per acre of land, R-2 is medium density with minimum lot size requirement of 4,500 square feet which allows approximately 8-9 lots per acre of land, and R-3 is high density which allows up to 14 townhomes per acre of land. He further explained that each zoning district also has different permitted uses with R-1 allowing single-family houses only, R-2 allowing single-family homes and duplexes, and R-3 allowing garden apartments or townhouses. Councilman King further clarified that the tract of land is currently zoned to allow 51 single-family homes and changing the zoning to R-3 would

almost triple the number of dwelling units allowed so are the requirements for the infrastructure varied from what they would be with R-1. Building Official, Mike Bailey, noted that Public Hearing Item #2 is a sketch site plan review which would include some of that information. City Manager Anderson clarified that the question before Council for Public Hearing Item #1 is, is the rezoning of the property appropriate; the design and infrastructure of the development of the property would be included in subsequent site plan reviews brought before Council for approval.

With no further questions or comments from Council, Mayor Genshaw invited the developer of the property forward to share some information about their plans for the property. Michael Sortini of Wilmington came forward, on behalf of the developer of the project and noted that the Planning and Zoning commission unanimously approved the request for rezoning, at the most recent Planning and Zoning meeting, to transition the 51 single-family homes into 132 townhouses with an ask to reduce density. He further noted that because the plan was already submitted for approval there was no mechanism for the developer to adjust those plans but they did decide to reduce the amount from 132 units to 116 units and provide some additional amenities for all of the residents of the Belle Ayre Development, including a pool, clubhouse, fitness center, and either pickleball or tennis court. He went on to explain that the subdivision has been in distress since inception and noted that the current zoning is not working for the area. He noted that while they are increasing the density of these single-family lots to townhomes, the density of the subdivision is only increasing by 12%. City Manager Anderson interjected and clarified that the initial decision of Council for Public Hearing Item #1 is only for the rezoning and what the maximum density permitted would be for the property based on the zoning designation that is received, this portion does not include any of the site plan approvals or review which would come with Public Hearing Item #2. Mr. Sortini noted that he wanted to mention the reduced density, as requested by Planning and Zoning Commission, so that Council could consider that information in respects to the approval of the rezoning of the property. He also noted that with the rezoning it would allow up to 180 units on the tract of land and the developer does not want to develop the land to the maximum allotment allowed by the R-3 zoning regulations. His request of Council is that they approve the rezoning with the condition of the restricted or lesser density than what is allowed by the R-3 zoning. He further explained that the developer believes that R-3 zoning works in this area and they believe that the current R-1 zoning does not work, otherwise they believe that the subdivision would have been completed already. He noted that the development has sat as it currently is for 13 years and they believe that the development needs to be completed because it is currently an eyesore. The developer feels that the rezoning will allow the redevelopment of the entire subdivision to become economically feasible.

Mayor Genshaw solicited any questions or comments from the Public and noted that all of Council has reviewed the Planning and Zoning meeting so they are aware of the questions that were asked and the concerns that were voiced, however if a member of the Public feels that it is important to restate that question, they are welcome to do so. He also noted that any questions or comments in this section should be based solely on the rezoning of the land from R-1 to R-3.

Dawn Evans, resident of 601 Rosemary Dr, expressed her concerns that the property in question is not an eyesore but farmland that is used year-round for crops. She also mentioned that the

townhomes that the developer plans to build are all rental properties and the HOA has expressed that they will not be paying to install cameras.

Charlotte Wayne, resident of 315 Plantation Dr, expressed her disagreement with the statement that the current zoning is not feasible for the area. She stated that the current housing market shows otherwise and there are currently single-family homes being advertised in the development for sale/to be built by Belle Ayre. She further noted that in Mearfield and Governor's Grant alike the homes are selling as quickly as they can be built so she disagrees with the statement that there isn't a need or demand for single-family homes in the area.

Jerry Dorsey, resident of 134 Belle Ayre Dr, expressed his concern that the area in question is already underserved by the Police Department and Fire services, as well as community activities for the residents and feels that approving the rezoning will only make that worse. He also noted that the quality of living for the residents currently in the area needs to be upheld as it currently stands and he feels that the rezoning of this tract of land will negatively affect those residents. He also mentioned that rather than Planning and Zoning and Council exchange emails about sensitive information in regards to requests like this he would like to see them have a face-to-face meeting to express their concerns and discuss the outcomes.

Roxanne Knights, resident of 1139 Magnolia Dr, expressed her concerns about the increased density and parking issues. She stated that there are already parking concerns and issues in the area and she believes that increased density will contribute to the parking issues.

Tom McLaughlin, resident of 815 Magnolia Dr, asked the Council what the City will gain out of the rezoning and whether it will be a positive gain or a negative. He also inquired if the townhomes will be government subsidized or if they will be paid for by the resident.

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

Public Hearing Item #2: Belle Ayre Investments LLC., is seeking a Sketch Site Plan Review for fifty-one (51) lots to be redeveloped into one hundred thirty-two (132) townhome units; to be built on Tax Map and Parcel # 531-10.00-407.00 through 464.00.

Building Official, Mike Bailey, explained that Belle Ayre Investments LLC, located at Danfield Dr, Bristol Dr, Chatham Dr, Trere St, and Banbury St, Tax Map and Parcel #531-10.00-407.00-464.00, along with the proposed zoning of R-3 high density residential is requesting a sketch plan review for 51 lots to be redeveloped into 132 townhomes. He then shared an aerial view of the property along with the sketch plan from the developer. He noted that some of the streets in the area will be reconfigured to accommodate the addition of the townhomes, water and sewer will be extended into the property, storm water will be onsite, and they will require new approvals from State Fire Marshal, Sussex Conservation, DelDot, and the City Engineer for storm water.

Mayor Genshaw invited the developer to explain some of their plans for the area. Councilman King inquired about the change in the plan from the Planning and Zoning meeting to the Council meeting. Mr. Sortini confirmed that they have adjusted the plan from 132 units to 116 units to

reduce the density, as requested by the Planning and Zoning Commission. He further requested of Council, as they are in the beginning phases of building the adjacent 77 units, that the zoning, if approved, includes the condition of the restriction of 116 units on this tract of land in the best interest of protecting the investment that they are putting forth on the adjacent townhouses. He further mentioned that these townhouses will not negatively affect home values in the area because they are top market rentals and have appraised at \$220,000 per unit as a rental and they will also provide high end amenities to all residents of the Belle Ayre subdivision which will increase home values in the area. In reference to the concern for lack of security cameras in the area he noted that adding units will promote more Police presence for the community. He mentioned that each townhome unit will be provided with two off-street parking spaces and in addition 40+/- parking spaces around the community building. He also clarified that although the density in these lots is increasing the overall density of the subdivision as a whole is increasing 11%. He mentioned that the developer wants to complete the project because it has sat as is, undeveloped for 13 years and if it could have been completed as a single-family home community then it would have been. He noted that the cost of infrastructure makes the project not economically feasible to complete as R-1 because the price point doesn't allow it. He further clarified that they are interested in finishing the community and bringing 200 residents to the area and add amenities for the entire subdivision so that they have access to more things in their community. He also mentioned that infill projects typically raise home values of everyone including neighboring communities and this project is financed for high-end rental units not section 8 so it will enhance the area not hinder it. He also noted that the area is underserved because roads and the development is not completed. He finished by stating that the developer wants to retain their investment just as much as the homeowners in the area; Phase 1 of 77 townhomes is financed and appraised beginning construction and is a \$15 million investment so they are keen on matching the area with their high-end rentals.

Mayor Genshaw solicited any questions or comments from Council. Councilman MacCoy mentioned that he has spoken with a number of residents and every person he has spoken with has concerns about this project moving forward. He further mentioned that he would personally not be in favor of anything that will alarm or concern the area residents. He said that there is nobody that wants to see more development of the Seaford area than himself but it has to be the right kind of development and something that the residents can be proud of.

Councilman King shared his concern that the plan brought to the meeting is not reflected in the motions that are set forth or the information that was shared with Council prior to the meeting or during the Planning and Zoning meeting the week prior. Mr. Sortini noted that they revised their plan because of the recommendation of the Planning and Zoning Commission during their meeting and unfortunately there was no mechanism available for the developer to submit the revised plan in time for the Council meeting but they felt it was important to discuss the changes and provide that information prior to the decision being made on the rezoning request.

Mayor Genshaw solicited any questions or comments from the Public about the sketch plan or any information that has been presented. Dawn Evans, resident of 601 Rosemary Dr, shares her concerns that she is unsure how these new townhomes are going to fit into the area based on the information that has been shared by the developer. The new buildings are two-story with no garage

whereas the current buildings are three-story with a garage and driveway. She further shared that she isn't concerned about community amenities such as a pool and clubhouse but rather concerned about keeping the neighborhood a neighborhood. She notes that these townhomes will be rentals and as has already been seen in some of the rentals in the area there is no pride of ownership; she further inquires what recourse do homeowners have once the developer completes the project and leaves. She also mentioned that there was a comment about the streets being unfinished which she doesn't find to be true; she states they are finished but they are unmarked. She further shares her opinion that the proposed two-story townhomes do not hold enough space for families and children to live comfortably without a basement or yard.

Steve Mayer, resident of 8 Chesapeake Dr, asked the developer why he would want to build in this location, if he agrees that the area is underserved by Police and Fire. He then asked for clarification of which area on the map is in discussion because an adjacent tract of land was also discussed at the Planning and Zoning meeting. He further expressed his concerns about the future plan to interconnect the roads coming through the area and into Governor's Grant and the traffic concerns that go along with that.

Scott Pickenpaugh, resident of 510 Elm Dr, inquired about the statement that Mr. Sortini made about the apartments appraising at top market rate because previously the information that was provided stated that they were market-based value townhouses not high value. Mayor Genshaw invited Mr. Sortini to respond. Mr. Sortini stated that he used it as a clarification that the townhouses would not be government subsidized through section 8 and they will command the highest rent in Seaford. He further explained that the developer is associated with the owner of the Stoneybrook apartment complex near Walmart and as an example of pride of ownership he shared that they just completed a \$1 million beautification project on that complex that is less than 8 years old. He further explained that the proposed townhomes for this tract of land have appraised at full market rate priced per square foot at the top of the market in Seaford.

Cynthia Cummings, resident of 25 Crossgate Dr, mentioned that the comment about the community being underserved by the Police raised a question for her; is there enough Police protection to take care of that many people if they were to move forward with adding 200+ residents to the area.

Charlotte Wayne, resident of 315 Plantation Dr, noted that the plans she has seen doesn't show sufficient space for two vehicles to park in the two-car driveways; she feels with the increase in popularity of pickup trucks and SUVs there is only enough space for one vehicle max in each driveway. She further commented that she is unsure about the appraisals of the townhomes units each coming in at \$225,000 whereas that same amount of money can allow an individual to purchase a rancher in Governor's Grant so she is unsure of how that is the value of a townhouse in Belle Ayre.

City Clerk, Tracy Torbert, read two emails into the record that were received earlier in the day from Charlotte P. Wayne, resident of 315 Plantation Dr. (Please see Appendix A and B)

Janice Foster, resident of 321 Plantation Dr, inquired about how the developer believes that they will be able to reduce traffic with their amenities if they are increasing the density of the area. She further inquired about where traffic will enter and exit the development and what would happen if individuals decide to take shortcuts through neighboring developments rather than utilizing their main accessway connected to Atlanta Road. City Manager Anderson requested that Building Official, Mike Bailey, show on the aerial view map where entrance and exit points for the development are/will be. Mr. Bailey stated that roads end at the property line however once the rest of Governor's Grant is developed, Chatham Dr will continue and connect to Plantation Dr in Governor's Grant. He further explained that these proposed buildings will exit to Belle Ayre Dr and either continue out Magnolia Dr or to Atlanta Rd as it currently is.

Mayor Genshaw solicited any additional questions from the Public; there were none. Mayor Genshaw inquired if any questions have come through online in regards to the Public Hearing Items; there were none.

Public Hearing Item #3: Annexation request from Sapan Shah for annexation of SCTM# 331-3.00-180.00; 22512 Sussex Highway (Sunrise Motel) Seaford, DE 19973.

City Manager Anderson explained that as part of the annexation process the annexation request needs to come through a Public Hearing. He mentioned that the annexation request from the property owner came through on June 15, 2020 and the annexation report from the annexation committee (Councilman Henderson, Councilman Holland, and Councilman MacCoy) was completed on August 13, 2020 and then read into the record and accepted by Council on August 25, 2020. He noted that there is currently an existing building with proposals from the property owner to redevelop and expand once the property is annexed. Mr. Anderson stated that the main reasoning for the annexation request from the property owner is to tie into City utilities. He explained that the parcel consists of 1.64 acres with existing frontage on Sussex Highway and it is contiguous to City limits through the land directly across Sussex Highway to the East. He also mentioned that the property owner is requesting zoning of C-2 Highway Commercial which is in conformance with the City's zoning map and Comprehensive Land Use Plan. Mr. Anderson added that should Council decide to move forward with the annexation request from the property owner then the next Council meeting would include an ordinance for annexation.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson stated that as the chair of the annexation committee he wanted to mention that the owner has made a good faith investment of hundreds of thousands of dollars and plans to expand once annexation is complete.

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

Mayor Genshaw closed the Public Hearing at 8:08 p.m. and reopened the Regular Meeting.

Building Official, Mike Bailey, presented the Findings of Facts for Public Hearing Item #1.

Findings of Facts:

- Project: Belle Ayre Investments LLC
- Located Danfield Dr, Bristol Dr, Chatham Dr, Trere St, Banbury St
- Tax Map and Parcel #531-10.00-407.00-464.00
- Zoning – R-1 Low Density Residential
- Requesting to rezone 51 single family lots from R-1 Low Density Residential to R-3 High Density Residential to accommodate the proposed building of 132 townhomes.

Planning and Zoning made a favorable recommendation to Council.

Councilman MacCoy inquired about the motion and if the motion for the first Public Hearing item on the agenda is denied if there would still be a motion for the second agenda item or if it would be skipped. Mayor Genshaw and City Manager Anderson agreed that whether the motion of the first agenda item is approved or denied there would need to be a motion for the second agenda item as well read into the record to be included in the minutes.

Councilman Henderson inquired about the additional statement that was added from the Planning and Zoning Commission during their meeting, in reference to the Belle Ayre requests. Building Official, Mike Bailey, confirmed that the statement was included in Public Hearing Item #2 because it was in reference to the sketch site plan, not the rezoning. City Manager Anderson requested that Mr. Bailey share the statement to help clarify. Mr. Bailey shared that Commission Member, Stacie Spicer, stated that the increase in homes from the originally proposed 51 single homes to 132 townhomes is a large increase and she would like the integrity of the homes and surrounding areas to be considered.

Mayor Genshaw called for a motion. Councilman Henderson made a motion to deny the request of Belle Ayre Investments LLC., to rezone fifty-one (51) single family lots from and R-1 Low Density Residential Zoning to R-3 High Density Residential Zoning, Tax Map and Parcel # 531-10.00-407.00 through 464.00 to accommodate the proposed building of one hundred thirty –two (132) townhome units, as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw solicited any questions to the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes, based on the findings of facts;
Councilman Henderson voted yes, based on the findings of facts;
Councilman Holland voted yes, based on the findings of facts;
Councilman MacCoy voted yes, based on the findings of facts;
Councilman King voted yes, based on the findings of facts.

The motion so passed.

Building Official, Mike Bailey, presented the Findings of Facts for Public Hearing Item #2.

Findings of Facts:

- Project: Belle Ayre Investments LLC
- Located Danfield Dr, Bristol Dr, Chatham Dr, Trere St, Banbury St
- Tax Map and Parcel #531-10.00-407.00-464.00
- Proposed Zoning – R3 High Density Residential
- Proposing to re-develop 51 existing single family lots into 132 townhomes
- Water and Sewer to be extended into the property.
- Storm Water will be onsite.
- Requires New Approvals From:
 - State Fire Marshal
 - Sussex Conservation
 - DelDot
 - City Engineer for S.W.

Planning and Zoning to made a favorable recommendation to Council with the additional statement from Commission Member, Stacie Spicer, that the increase in homes from the originally proposed 51 single homes to 132 townhomes is a large increase and she would like the integrity of the homes and surrounding areas to be considered.

Mayor Genshaw called for a motion. Councilman MacCoy made a motion to deny the request of Belle Ayre Investments LLC, for a Sketch Site Plan Review for fifty-one (51) lots to be redeveloped into one hundred thirty-two (132) townhome units; to be built on Tax Map and Parcel # 531-10.00-407.00 thru 464.00, as presented. Councilman King seconded the motion.

Mayor Genshaw solicited any questions to the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes, based on the findings of facts;
Councilman Henderson voted yes, based on the findings of facts;
Councilman Holland voted yes, based on the findings of facts;
Councilman MacCoy voted yes, based on the findings of facts;
Councilman King voted yes, based on the findings of facts.

The motion so passed.

Mayor Genshaw called for a motion for Public Hearing Item #3. Councilman Holland made a motion to proceed with the annexation request from Sapan Shah for annexation of SCTM# 331-3.00-180.00; 22512 Sussex Highway (Sunrise Motel) Seaford, DE 19973 and to present the ordinance for annexation at the October 13th City Council meeting for consideration. Councilman Santos seconded the motion.

Mayor Genshaw solicited any questions on the motion; there were none.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes, based on the findings of facts;
Councilman Henderson voted yes, based on the findings of facts;
Councilman Holland voted yes, based on the findings of facts;
Councilman MacCoy voted yes, based on the findings of facts;
Councilman King voted yes, based on the findings of facts.

The motion so passed.

New Business

Mayor Genshaw presented New Business Item #1: Mr. Charles Kistler from HELP Initiative to present a MOU between the City and HELP Initiative to support implementation and program management of a portfolio of programs.

Ms. Bether Rojas from the HELP Initiative came forward to share some information about what the HELP Initiative has been able to complete and about their plans for Phase 2 of Seaford Lights On Program. She mentioned that in Phase 1 with the upgrade to LED lightbulbs they performed 404 installations and saved a total of 22,579.5 WATTS in energy savings for the City of Seaford residents. She stated that the Healthy Homes program will be incorporated into their programs and covered some of the issues that can be remediated and the assistance that can be provided through that program. She reviewed the list of programs that are to be included in Phase 2, including Repair Replace Heaters and Conserve Energy, Health On, Weatherization Assistance Program, and other programs and gave some information about each.

Councilman King inquired about feedback from the residents in relation to the energy savings from Phase 1. Ms. Rojas stated that because of COVID they started a call campaign, funded through Energize Delaware and they were able to call all of the residents in Seaford that they have installed lights for and discuss other programs that are available to help them. She mentioned that when they spoke to customers in Seaford a lot of them mentioned that they were very thankful for the help they received through Phase 1 because their electric usage has lowered and they feel safer. Councilman King stated that he remembers they shared their mission statement at the first Council meeting that they attended so he was interested to see the feedback and congratulated them on their success.

Councilman Santos inquired if a resident in the previous target areas does not have a light and they are interested in having one installed who should they reach out to. Ms. Rojas responded that currently they are working with landlords and multi-family dwellings but they will install for those that request it and they can either contact the City of Seaford or herself directly. She also noted that they do not need to be in a specific target area as long as they are a City of Seaford customer. She further mentioned that if there is no current light on the front of the house, there will be a solar light installed.

Mr. Charles Kistler came forward to share more about the MOU that the HELP Initiative is presenting. He shared that they have grown from four people to a team of eleven since they started their Lights On Seaford program. He noted that it is important that they are able to show progress

from street level, by installing energy efficient lighting on the front porch of homes and then they can move into the house to assist with other health and energy issues. He noted that with their new funding and partnerships they have become a more holistic program and are able to actually help remediate issues rather than just referring them to another company or program. He further explained that there is no cost to the City or the resident for any of the programs that HELP can provide as they are all externally funded, they are just requesting to lean on the City for assistance in getting to the areas where the need is. He further mentioned that Seaford is their blueprint city for this program and what is built out will then expand to Georgetown, Milford, and Dover. Mayor Genshaw confirmed that the community is impressed with the success of the Lights On project and the trust has been built with the team of individuals and he noted that the City Council supports their mission.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson inquired if he and his associates are focusing on the same zones from Phase 1 or if the programs are now being offered City wide. Mr. Kistler confirmed that they are now able to offer their programs City wide so if there is a residence in need they will assist and he noted that if there is an area with criminal activity, they can begin remediation in that area next day if needed. Councilman Henderson further mentioned that he would be interested to follow up with Chief Craft and look at the heat map, because when the program started two years ago the want was to reduce criminal activity and move it away from the neighborhoods, so the hope is that the activity is not being moved from neighborhood to neighborhood. He also mentioned that he is glad that they are expanding their program to the whole City, because he thinks they are reducing the risk in high risk neighborhoods and possibly increasing risk in the lower risk neighborhoods which he believes will put a lot of residents at ease. Mr. Kistler mentioned that they would like to also work with the utility departments, for example, when street lights are being retrofitted, they can also do the porch lights because they have found that the impact of both a street light and a porch light is the best help with reducing crime. He further noted that they have progressed to being data driven which is a big help with securing funding for their programs.

With no other questions, Mayor Genshaw called for a motion. Councilman King made a motion to approve the request of Mr. Charles Kistler from Help Initiative to execute an MOU between the City and HELP Initiative to support implementation and program management of a portfolio of programs, as presented. Councilman Holland seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

Mayor Genshaw presented New Business Item # 2: Present for approval a contract for construction phase services for Phase I of the Oyster House Park Project with Landscape Architectural Services.

Director of Economic Development and Community Relations, Trisha Newcomer, came forward and explained that at the last council meeting the bids and the funding plan for Phase 1 came before Council for approval and tonight the contract of services from LAS (Landscape Architectural Services, LLC) is presented. They will be performing the construction administration services for Phase 1 of the Oyster House Park Project. She further stated that the funding of \$50,000 to pay for these services was approved at the last Council meeting. She mentioned that their responsibility as part of this contract is to handle the day to day on site administration and approve submittals etc.; they will be handling some of the pieces that staff is unable to be present for and handle.

Mayor Genshaw solicited any questions from Council. Councilman Henderson inquired if the cost of the owner's representative included in these services or in other services. City Manager Anderson asked for clarification on the title of owner's representative. Councilman Henderson further inquired if the architect is acting as the City's representative for this project. Mr. Anderson stated that the City has a modified construction administration services contract because City staff will perform some of the administrative duties associated with the project, Trisha Newcomer, is the project manager. He further explained that LAS will review submittals for the City and respond to RFI's as well as attend monthly progress meetings. He further explained that the City has a hybrid model that is used whereas LAS does not act as the complete owner's representative but they do assist with some of the responsibilities. Councilman Henderson further clarified that from a public service standpoint the administration of a construction contract is taxing on the building department and can add pressure when the inspector is on site inspecting the work but also has to act as a representative so he just wants to make sure that he understood how the administrative process would work. Mr. Anderson clarified that the City utilizes contracts like this with the City Engineer and things of the like, because there are certain aspects of the administrative process that City staff is able to perform in order to lessen contract costs.

With no other questions, Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the contract for construction phase services for Phase I of the Oyster House Park Project with Landscape Architectural Services, as presented. Councilman Henderson seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

Mayor Genshaw presented New Business Item #3: Bids – SVFD Roof and Drainage Renovation.

City Manager Anderson explained that there is an issue at the Seaford Volunteer Fire Department where storm water is running onto the roof and into the sewer system and Director of Public Works, Berley Mears, put a bid package together and advertised it, however the City did not receive any bids. Mr. Anderson stated that himself and Mr. Mears had a conversation and they believe that businesses are probably too busy so the plan is to wait until February-March and readvertise with more time on the contract.

Mayor Genshaw presented New Business Item #4: First reading of proposed ordinance revisions to the Municipal Code Division 3; High Density Residential District, Section 15–26 Area and bulk regulations to change the permitted dwelling units per acre, setbacks, site coverage, habitable floor area, exterior materials, safety improvements, and site amenities.

City Manager Anderson stated that there have been concerns and conversations about modernizing the R-3 High Density Zoning District requirements; i.e. is it too dense, are there things that can be changed. He noted that over the last 3-5 years some of the requirements in the commercial zones have been modernized. He explained that himself and Mr. Bailey reviewed the R-3 zoning district requirements and came up with a list of recommendations for adjusting and modernizing those requirements to increase site amenities and reduce the density of those properties. This list of recommendations was brought in front of the Planning and Zoning Commission and they recommended approval of the proposed changes. Building Official, Mike Bailey, reviewed and explained the current code requirements and what changes are being recommended. Mr. Anderson explained that with code changes there are two readings and then if approved by Council after the second reading the code changes would be advertised for thirty days and then become effective. Mr. Anderson stated that Mr. Bailey reviewed projects in the pipeline and none of those would be affected by the changes proposed for the R-3 zoning that is currently in the approval process. He also mentioned that if Council chooses to do so, they can delay the adoption so that the changes can be sent out to developers in the community. He further noted that projects that are completed or in the construction process will be grandfathered in but if they redevelop the site, they will have to abide by the new ordinance provisions.

Mayor Genshaw solicited any questions from Council. Councilman Henderson inquired about the change of dwelling units per acre changing from current 14 to 10, which brings it down to the same amount as R-2 zoning; because the difference in the maximum number of dwelling units between R-2 and R-3 is almost nonexistent after this change is there an anticipated adjustment to R-2 zoning as well. City Manager Anderson stated that R-2 currently allows 9-10 dwelling units per acre and while a change to R-2 could happen as well, then there is the possibility of also having to adjust R-1. He further explained that the purpose of these changes to R-3 is to increase the amount of open/green space and because duplexes have side yards and other green space the density is not as evident in R-2 zoning as it currently appears in R-3. He did further note that if Council desires staff could look at R-1 and R-2 zoning code requirements and compose proposed changes to those as well and bring them back to Planning and Zoning and then Council. Councilman Henderson noted that he is sure that the changes to units per building and required square foot minimums probably translate well into the density requirements for the zoning change.

Mr. Anderson stated that there is not much of a desire in present day to build a building with 18 units, he noted that the decision to cap the units per acre at 10 was because there was no desire to go below R-2. Mr. Anderson stated that this code had not been modernized since the updates to storm water management and DelDot requirements.

Councilman MacCoy inquired about clarification of the process for code changes such as this proposed zoning change and whether research is completed on how other cities comparable to Seaford are set up and what their requirements are. Mr. Anderson stated that occasionally the City looks at our peer cities such as Milford to see what they are doing, he did confirm that for this change there was no comparison from any of our peer cities because some of their zoning ordinances are so vastly different from ours and City of Seaford's zoning ordinances are simple and straight forward and the want was to lessen the density overall. He stated that the requirement of cameras came through conversations over the last few years with the Chief of Police and some of the existing communities have redeveloped to add those camera systems and allowed some interconnection and sharing of data with the Police Department.

Councilman King inquired what is seen currently that has brought forth the desire to change the code for R-3 High Density Residential zoning. Mr. Anderson stated that among conversations and with input from Mayor Genshaw and Vice Mayor Henderson, from a practical standpoint the R-3 sites are so filled up with storm water management etc. and as has become more evident in the past 6-8 months there is a high demand for the public parks because these communities have no open space available so the conversation is that communities should be more accessible to their residents and have those amenities available to their residents. He mentioned that City of Seaford has been named a Silver community because of our walking trails etc. Mr. Anderson stated himself and Ms. Newcomer, Economic Development Director, have had conversations about tying areas together and interconnect community facilities (i.e. schools and library) with walking trails.

Councilman Santos inquired about, for example, Belle Ayre and wanting to maximize the usage of the area, how many units would they be able to provide under this new code change. Mr. Anderson noted that they would be able to have 140 under the new code and their original plan was 132 before their adjustment to 116, so in reference to density their original or their revamped proposal would not have been affected by this change. Councilman Henderson further clarified that with the change the Belle Ayre plot because it is 14 acres could accommodate 140 units whereas before the code change it could accommodate 196 units. Councilman Henderson further clarified that had the rezoning request been approved, the developer would have had a use by right of placing the maximum number of units allowed for the area, even though they were only requesting less than that. He further explained that should the developer then sell the property before development whoever purchases the property could decide to put the maximum number of units on the plot. He further stated that in recent years the attempt has been made to lessen the density and make Seaford more livable instead of being more crowded. Mr. Anderson commented that the density would not have affected that developer's plan but when you start to look at other requirements such as the three-acre playground, he did not include that in his site plans, so some additional components such as fencing, cameras, finish material etc. could have changed his plans but the change in density would not have affected their revised plan. Councilman Santos referred to the requirement for side yard lines and setbacks, if the rezoning had been approved, how would it

effect that developer. Mr. Anderson responded that an engineer would have to redesign the site plan to see how the changes would affect that developer. Councilman Santos referred to Councilman Henderson's comment about R-3 becoming similar to R-2 and inquired would it be similar density but provide more amenities to residents. City Manager Anderson confirmed that the density would be similar but the style of approved buildings is vastly different, such as R-2 appears more residential whereas R-3 is apartment buildings.

Councilman King commented that developers now seem to completely clear the lot before developing the land. He inquired if the City has any expectations around green space and preserving existing trees etc. Mr. Anderson confirmed that is the reasoning behind the proposed changes. Mr. Anderson further noted that when the sketch plan is submitted by a developer and comes to Council that would be the time for Council to interject and discuss that amenity that is already on site and the preferential preservation/usage of it as part of the development plan.

Mayor Genshaw noted that this is the first reading of this code change and the second reading will come through at the next Council meeting.

Mayor Genshaw presented New Business Item #5: Present for approval a resolution in support of a partnership with the Parks Resource Office, State Division of Parks and Recreation under the Outdoor Recreation, Parks, and Trails Grant Program for construction of Phase I for the Oyster House Park and installation of fencing and sidewalk at the Seaford Sports Complex.

Director of Economic Development and Community Relations, Trisha Newcomer, explained that the City has applied for two grants through the ORPT grant program through DNREC; one for \$20,000 for sidewalks and fencing at the Seaford sports complex and the second for \$80,000 towards funding for Phase 1 of the Oyster House Project. She noted that a requirement of the application process is to receive a resolution from the governing body that states that the City will maintain the integrity of the outdoor recreation programs.

Mayor Genshaw solicited any questions from Council; there were none. Mayor Genshaw then called for a motion. Councilman Henderson made a motion to approve the resolution in support of a partnership with the Parks Resource Office, State Division of Parks and Recreation under the Outdoor Recreation, Parks, and Trails Grant Program for the construction of Phase I for the Oyster House Park project, as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

Mayor Genshaw called for a motion for the second grant. Councilman Holland made a motion to approve the resolution in support of a partnership with the Parks Resource Office, State Division of

Parks and Recreation under the Outdoor Recreation, Parks, and Trails Grant Program for the installation of fencing and sidewalk at the Seaford Sports Complex, as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

OLD BUSINESS:

Mayor Genshaw presented Old Business #1: Council to review the information provided by City Clerk, Tracy Torbert, regarding the voter registration process and determine if staff should prepare a charter change to transition to the State Voter Registration database for the April 2022 Municipal election or continue to use the Book of Registered Voters and provide additional registration options to City voters.

City Clerk, Tracy Torbert, came forward with some follow-up information regarding voter registration. Ms. Torbert shared some information from an article that Representative Shupe published on September 12, 2020 that exhibits that there is no database or system that will eliminate all errors with the voter registration process. She further shared some statistics about voter turnout from the State of Delaware website about the most recent primary election; of 550,288 registered voters only 177,547 voted (32.26%). She further commented that the City of Seaford is not alone in our concerns/issues with the lack of voter turnout, other cities have the same issues and as exhibited in the most recent State primary election the State of Delaware shows some of the same issues.

Ms. Torbert referenced during the last Council meeting there was discussion about continuing to maintain non-resident property owners as voters and Councilman Henderson tasked City staff with reaching out to the City Solicitor to see if it would be possible to keep that separate database if the City transitions to the State database for overall voter registration. City Solicitor, Dan Griffith, responded that the City may change its Charter to adopt the State of Delaware voter registration system while also keeping non-resident property owners' rights.

Mayor Genshaw solicited any questions from Council. Councilman King inquired how a non-resident property owner would then register to vote for City elections because they would not be able to register through the State of Delaware system. Ms. Torbert asked for clarification if Councilman King is asking this in the instance that the City transitions to the State database and also maintains voting rights for non-resident property owners. Councilman King confirmed. Ms.

Torbert responded that City staff would have to maintain a separate database for those non-resident property owners as registered voters. Councilman King further inquired what is the number of non-resident voters. Ms. Torbert responded that the last election there were 65-70 eligible non-resident voters and that number has grown since, with the total nearing 100 now.

Mayor Genshaw called for a motion. Councilman Henderson made a motion to request City staff to prepare a charter change to transition to the State Voter Registration database for the April 2022 Municipal election, as presented. Councilman King seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve City staff to maintain a separate voter database for non-resident property owners. Councilman Santos seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes;
Councilman Henderson voted yes;
Councilman Holland voted yes;
Councilman MacCoy voted yes;
Councilman King voted yes.

The motion so passed.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. SCAT Meeting, October 7th at SVFD Banquet Hall starting at 6:00 p.m.

COMMITTEE REPORTS

Councilman Santos reported on Administration and IT:

PROJECT UPDATES:

MEETINGS:

- Met with representatives of the BioEnergy Facility south of Seaford about treatment options.
- Made the final inspection of the PD garage renovations with the contractor and the project Architect.
- Attended the quarterly Golf Course meeting
 - Met with Adkins Management our consultant that operates Hoopers Landing
 - Play is up dramatically for the first 2 1/2 months of the fiscal year.
- Participated in the bi-monthly call with the Governor regarding COVID-19.
- Met with the electric rate consultant regarding suggested rate maintenance items
 - Recommendation go to the Electric Committee and City Council for consideration.
 - Rates are evaluated regularly by staff to maintain cash flow status and competitiveness.

OTHER WORK:

- Prepared the Council agenda.
- Attended the DEMEC annual dinner meeting (virtual).
- Dealt with some employee HR issues and concerns.
- Attended the P&Z meeting to present the proposed R-3 Changes to the Zoning Ordinance.
 - These changes would revise the dwelling units permitted per acre and other aspects of the development.

Information Technology Report:

- Working on PD Projects
 - Completed Speaker/Mic System for Cell Areas
 - Continue work Access Control Door System (Completed Server install and registration along with Activating Back Building for testing)
 - Completed Running cable and staff relocation
- Received All Equipment.
- VDI Project
 - Completed Racking the Servers and connecting along with Updating
 - Began Purchasing necessary license requirements
- Purged old equipment for destruction.
- Inventory of equipment- updated list and asset tags

Administration Report for Council –

- Continue preparing for contract negotiation meeting with the police department Teamsters Local 326
 - Current contract expired 06/30/2020.
 - Next meeting scheduled for October 1, 2020
- Continue preparing for the City's annual audit
 - Correspond with auditors and provide requested reports and documentation.
 - Prepare journal entries and reconciliations of accounts.
 - Prepare audit confirmation letters and attorney opinion letters.

- Attend DEMEC board meeting & strategic planning workshop
- All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilman Holland reported on Code, Parks and Recreation:

Code Department Report

- Issuing permits (285 Issued in 2020)
- 559 Rental Licenses Issued. (1,608 Individual Units) (596 Homes) (1,012 Apartments)
- Doing routine inspections for on-going projects
- Doing violation inspections throughout City
- Performing plan reviews for new permits
- Code Inspector position is open.

Large project status's:

- Wawa – Entrance work on Sussex Hwy started. Site work for Wawa started.
- Melanies Ridge –Deldot work has started
- Mearfield 2 –Second duplex has been set.
- Montessori School – School is open. Admin offices and Meal distribution building completed.
- East Park Business Center – Site Work to start this week.

Accomplished week of 9/7

- Parks – Made repairs to carburetor on Kubota mower
- Parks – Seeded & fertilized athletic fields at the Jay's Nest
- Parks – Completed weekly grass cuttings and trimming
- Parks – Prep football fields for youth clinics
- Rec. – Got approval to extend youth clinics through the month of October
- Rec. – Contacted Musco Lighting & coordinated with Electric Dept. regarding outages at the football field
- Parks&Rec. – Finished application portion of ORPT Grant for Oyster House Park for submission
- Parks&Rec. – Completed first week of Supervisor Training, Session 1: Strategic Planning
- Parks&Rec. – Reviewed and approved 2 special event permit applications

Accomplished week of 9/14

- Parks – Completed 7 work orders (total of 56 this season)
- Parks – Bobby began training modules to become a Certified Playground Safety Inspector
- Parks – Cut grass & trimmed at city parks, solar panels at utility bldg., and various other locations
- Parks – Prep softball fields & football fields for league, clinics, and softball tournament
- Rec. – Completed 3rd week of youth clinics and 2nd week of men's softball

- Parks&Rec. – Submitted 2 ORPT Grants for a total match of \$100,000 for Oyster House Park & the Seaford Sports Complex
- Parks&Rec. – Completed second week of Supervisor Training, Session 2: Managing Performance & Performance Appraisals
- Parks&Rec. – Had a meeting with Rick Gray about partnering at William’s Pond Park on some Boy Scout projects – more details to come
- Parks&Rec. – Advertised bid for 2 zero turn mowers for the Parks Department

Councilman MacCoy reported on Electric.

Since the last report

Crew

- Terminated the secondary wires in the transformer at the Montessori School.
- Replaced the broken street light pole in front of Grotto’s.
- Worked in Mearfield 2 phase 1 digging in conduit.
- Took down the American flags and hung the DSA flags back on High ST. Checked the lights at the football field for Parks & Rec.
- Replaced a street light in front of Grotto’s for the new sidewalk.
- Remove vines from around the City, cleaned up Dutton Ave right away again.
- Had an outage behind Greenside Manor, caused by a squirrel. Cleaned out vines while we were backed in there.
- Replaced the rope in the flagpole at the Middle School.
- Hooked up the temporary service for the new County building on Herring Run Road.
- Helped pull in wire with Gary Andrews at the Police department from the building to the old firing range.
- Greg Brooke started the supervisor training class.
- Greg Brooke & Nick Smart took some of their test for lineman training.

Director

- Met with the contractor at WAWA.
- Went to the ribbon cutting at Berlin’s power plant.
- Worked on updating the estimate for Mearfield 1 phase 2B. Did the zoom meeting for the annual DEMEC meeting.
- Had a staff meeting.
- Got Jordan Marvel signed up for week 1 of lineman training. Had 2 on line seminars about street lighting.
- Had an online meeting about rate structure.
- Had an outage 9-20-2020 on circuit 310, Sussex Hwy, caused by a raccoon up the riser pole on Herring Run Road in front of the utility building.

Upcoming Weeks.

- Do monthly substation checks.
- Continue changing the lights on Sussex Highway to LED. Finish trimming trees in Williams Pond Park.

- Work with the school on the lights in front of Central Elementary school. Install 3 new lights on the Venture Drive extension.
- Continue working in Mearfield 2 as they build more units in phase 1. Get the directional drilling scheduled for Melanie's Ridge.
- Met with the developer for East park Business Center.
- Get the estimate and schedule the directional drilling at WAWA.

Councilman King reported on Public Works & WWTF.

Past two weeks:

Public Works:

- Rt. 13 Water main extension is complete.
- Repaired some water meters having issues.
- Received no bids for SVFD roof
- Boarded up hotel doors
- Repaired more cleanouts.
- New lift station project on-going.
- Force main and pump station installation for the Unified Sewer District is on-going.
- JCB backhoe down waiting on parts.
- Manor House lift station pump out for rebuild
- Picking up a lot of limbs
- Still one person down
- Held multiply meetings in person, zoom, and by conference call. Bio-Energy, DBF, Gillis, MS4
- Performed all routine tasks; swept, L & L, big piles, read meters, re-reads, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc...

WWTF & COMPOST

- No new news is good news here.
- Plant performance remains good
- Still working on Industrial User permits for Pretreatment program
- New blowers have been ordered
- We HAVE compost to sell by appointment
- Leachate treatment going well but less
- Septage is down.
- No major equipment maintenance needed.

Upcoming two weeks:

Public Works

- Street paving bid to start soon

- Install signs in Mearfield.
- Repair cleanouts on smoke testing list.
- Replace fire hydrants (ongoing.)
- Continue all routine tasks.

WWTF & COMPOST

- Keep the plant up and running with no violations
- Perform maintenance as needed
- Screen for compost

City Manager Anderson added that Berley Mears, Director of Public Works, will be Acting City Manager the week of September 28, 2020, during Mr. Anderson's vacation.

Mayor Genshaw called for a motion to adjourn the Regular Council Meeting. Councilman MacCoy made a motion to adjourn the Regular Council Meeting. Councilman King seconded the motion; motion so passed with all voting in favor. The Regular Meeting was closed at 9:19 p.m.

Charles D. Anderson, City Manager

/JJ

C. Anderson

From: charlotte wayne <charlottesweb441@hotmail.com>
Sent: Tuesday, September 22, 2020 10:37 AM
To: Councilinfo@seafordde.com; C. Anderson
Cc: charlotte wayne
Subject: CITY OF SEAFORD --TODAY'S SNAPSHOT --A PRELUDE TO THIS CITIZEN'S QUESTIONS RE R3 ZONING FOR 132 BELLE AYRE TOWNHOUSES
Attachments: SEAFORD - TODAY'S SNAPSHOT 9-22-2020.docx

Attached is an eye-opening snapshot of where the City of Seaford is now and what it portends for our future if we fail to recognize that the current planning and zoning process virtually insures a failed poverty-stricken, crime ridden city, not unlike the legions of those we see on tv every day. A strong middle class (or a plethora of multi-millionaires) is an essential ingredient in creating a viable, successful city. Running the Atlases out in droves by placing an insufferable tax burden and inferior quality of living on them to subsidize a totally disproportionate multitude of lower income residents is the picture I am left with for our future after attending the 9/10/20 P & Z rezoning meeting.

I have quite a few questions that I will be submitting in a couple of dispatches today for your review, consideration and hopefully a verbal response from you this evening, assuming you deem them worthy of your time.

I appreciate the opportunity and mechanism you have provided to express my views.

Charlotte P. Wayne, Resident
Governor's Grant

315 Plantation Drive

Sent from [Mail](#) for Windows 10

SEAFORD TODAY—A SNAPSHOT

1. HOUSING

% OF RENTAL HOUSEHOLDS

Seaford	49.1%
Sussex County	21.8%
State of Delaware	29.9%

NOTE:

1. Seaford has at least **13 large Section 8 apartment complexes** (may be more since I last checked this).
2. With proposed R3 rezoning, we would be adding 313 more rental units (and 748 low-income residents with 2.39 individuals per unit) to the staggering existing rental inventory.

2. POVERTY RATES

Seaford	20.4%
Sussex County	12.3%
Delaware	11.3%

NOTE: . Mississippi, the state with the **HIGHEST** poverty rate, stands at **19.7%**, less than Seaford's 20.4%

NOTE:

1. Based on above, there are approximately 1632 residents at or below the poverty level ($8,000 \times .204$ (20.4%)=1632).
2. If 748 low-income renters are added to the existing poverty level population (i.e., $748 + 1600=2348$), Seaford's low income residents will, *at a minimum, constitute 29.34%* of Seaford's total population of around 8000 ($2348/8000=.2935$ or 29.4%).
3. The 29.4% rate cited above is described as a "minimum" because Census figures are only available for those at or below the poverty level (20.4%), leaving out those who exceed that level but are still considered "low income.")

3.MEDIAN HOUSEHOLD INCOME

Seaford	\$46,387
Sussex County	\$60,853
Delaware	\$65.627

4.CRIME RATES PER THOUSAND

	<u>VIOLENT</u>	<u>PROPERTY</u>	<u>TOTAL</u>
*Seaford	8.14	53.43	61.59

Delaware	4.24	23.24	27.48
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NOTE:

1. Seaford is ranked as the **most dangerous** city in Delaware followed by #2 Wilmington.
2. **98%** of all cities in the U.S. are safer than Seaford.
3. Unable to quickly obtain latest rates for Sussex County.
- 4 Seaford is consistently voted as one the **least desirable** small cities to live in Delaware.

Source of data cited: U.S. Census Bureau – report issued in 2018

CPW 9-20-2020

DOC: SEAFORD – TODAY'S SNAPSHOT 9-22-2020

C. Anderson

From: charlotte wayne <charlottesweb441@hotmail.com>
Sent: Tuesday, September 22, 2020 2:01 PM
To: Councilinfo@seafordde.com; C. Anderson; dgenshaw@seafordde.com
Subject: QUESTIONS TO CITY MANAGERS AND CITY COUNCIL RE APPLICATION OF ZONING PROCESS TO R3 REZONING REQUEST FOR 132 TOWNHOUSES
Attachments: GG--QUESTIONS TO CITY MANAGERS AND COUNCILMAN RE ZONING PROCESS 9-22-2020.pdf

The attached is an attempt to gain some insight into how the City makes zoning decisions. Most GG residents left the 9/10 meeting with the understanding that the R3 zoning is approved if it meets all of Seaford's technical requirements (e.g., size of dwelling, distance between dwellings, front footage, etc.). Many of us have previously lived in cities where serious consideration was given to many if not most of the factors addressed in the attached.

We are hopeful you can enlighten us on this topic at tonight's meeting.

Charlotte P. Wayne, Resident
Governor's Grant

Sent from [Mail](#) for Windows 10

Questions for City Government and the City Council

1. The petitioner, Belle Ayre Investments, LLC., is requesting the R3 zoning to build townhouses claiming there is no market for single family homes.

A. It is notable that said petitioner is currently offering four single family homes to be built on Belle Ayre Drive and Magnolia Drive (in the Belle Ayre community) as follows :

121 Belle Ayre Drive	- \$235,000
131 Belle Ayre Drive	\$235,000
133 Belle Ayre Drive	\$264,500
1005 Magnolia Drive	\$264,500

B. Having observed the local housing market rather closely, there are more single-family home buyers than sellers.

C. To illustrate, Governor's Grant houses have recently been snapped up within a day or two (until, of course the sword of Damocles drops). New single-family homes are going like hotcakes in Mearsfield, right here in Seaford. A new single house or two goes up there practically every day. They vary in size considerably with even their Lilliputian model with what "appears" to have a roof height of only seven feet above ground selling better than one would have expected.

2. Is it in the long-term best interests of the City to approve the building of 313* additional rentals when we already have a higher proportion than any other city/county or state? If yes, please elaborate. (I'm sure we far exceed the Federal/State "quotas" for rental and low-income housing.)

Note: (The 313 number assumes all proposed rentals are built (77 + 132 + 104=313))

3. Does the city benefit long-term from adding 748 (313 x 2.39 person per HH =748) low-income residents when Seaford already has a higher poverty rate than any State in the United States? Won't these low-income populations require more city resources than they produce?

4. Are not the crime rates highest among the populations that will occupy the proposed rentals? We're already #1 in crime; how can we do any "better"?

5. How can the dearth of existing middle-income taxpayers absorb the costs of the innumerable services/goods the Government mandates we provide to this massive low-income population?

6. How will current middle income homeowners respond to such a mandate? Can you not see them scurrying like rats from a sinking ship in search of places more favorable to their pocketbook and living environment?

7. Of the remaining residents, who will be left behind?

ANSWER: Mostly the young who have little to no equity in their homes (who will then likely declare bankruptcy as they did in Seaford during the mid-2000 housing crises). (Just watch the “for sale” signs go up as they have already on my street.)

8. Despite the City’s goal of increasing the number of single-family homes, who would even consider buying or constructing a single-family home in Seaford if there were undeveloped lots adjoining it on any side, especially after witnessing the City rezone R1 lots to R3 after Governor’s Grant was nearly completed.

9. What do you think is going to happen to the desirability, demand, and value of Governor’s Grant single family homes when its impacted by the overflow of traffic and people from vastly overcrowded townhouses and apartments? Will the community look just like the many old, dilapidated eyesores that now proliferate Seaford.

Does the City, at any point, take into account any of the following in the zoning decision-making process?

- A. The impact on traffic and safety? The cost of making changes to meet specified standards?**
- B. Whether sufficient school facilities, teaching staff, transportation, and other school resources exist and the cost of providing them where necessary?**
- C. The adequacy of existing medical facilities/providers. At present, it's often difficult to secure an appointment with a local provider, necessitating scheduling an appointment months in advance.**
- D. The impact on the financial viability/sustainability of medical facilities/providers with the addition of a high percentage of non-payers or Medicaid payers, the latter often paying considerably less than actual costs.**

NOTE: Many local hospitals have been forced to fold due to a high proportion of patients who fall in this category.

E. How will this impact fire/emergency service providers and the costs of increasing personnel/additional equipment or facilities to accommodate newcomers, where needed. Same goes for police.

AND ON.....AND ON....WITH REGARD TO ADDITIONAL SERVICES & PERSONNEL TO ACCOMMODATE THE NEW DWELLERS.

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CPW 9-22-2020