

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

September 24, 2019

7:00 P.M.

Mayor Genshaw called the meeting to order at 7:00 p.m. with the following present: Councilman Matt MacCoy, Councilman Dan Henderson, Councilman James King and Councilman Orlando Holland. City Manager, Charles Anderson, Director of Economic Development and Community Relations, Trisha Newcomer, Bill Bennett, Director of Electric and Mike Bailey, Building Official were also present.

Councilman MacCoy offered the opening prayer and Mayor Genshaw then led those present in the Pledge of Allegiance.

Mayor Genshaw solicited any changes to the agenda. City Manager Anderson stated there were none.

Mayor Genshaw called for a motion to approve the minutes of the Regular Meeting on August 27, 2019. Councilman Henderson made a motion to approve the minutes from the August 27, 2019 Council Meeting. Councilman MacCoy seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw called for a motion to approve the minutes of the Regular Meeting on September 10, 2019. Councilman Holland made a motion to approve the minutes from the September 10, 2019 Council Meeting. Councilman King seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw introduced Boy Scout Troop 249 and asked each Scout to introduce themselves. He welcomed and thanked them for attending the meeting tonight.

Correspondence

There was none.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

- Parks and Recreation Committee meeting, September 25, 2019, 6:00 p.m., City Hall Council Chambers
- 911 Services Evaluation Committee Meeting, October 1, 2019, 7:00 p.m., City Council Chambers
- SCAT Meeting, October 2, 2019, 6:00 p.m., Seaford Fire Hall
- SHS Homecoming Parade, October 4, 2019, 6:00 p.m., Downtown Seaford
- Public Power Week, October 6-12, 2019

Public Hearing

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

Building Official, Mike Bailey presented Public Hearing Item #1, Hunter Creek Homes, located at lot 6 E. Arch St Ext., Tax Map and Parcel # 331-5.18-101.00 requesting a subdivision of the referenced property into three lots. Mr. Bailey showed an aerial layout of the existing site along with a survey that was received of the proposed subdivision. The lots are zoned R2 Medium Density Residential. The proposed lots do meet the area and bulk requirements as specified by the Code. The minimum lot size is 4,500 square feet and a minimum width of 35 feet. Mr. Bailey then gave the square footage of each lot; lot 1 will be 5,162 square feet and 54 feet wide, lot 2 will be 5,167 square feet and 54 feet wide and lot 3 will be 5,548 square feet and 54 feet wide.

Mayor Genshaw asked for any questions or comments from Council; there were none. He then called for any questions or comments from the public; there were none.

Building Official Bailey then presented Public Hearing Item #2, Ross Point Freedom Church, located at Sussex Ave Extd., Tax Map and Parcel # 531-10.00-217.02 seeking a final site plan approval for a proposed Church with associated parking. Mr. Bailey showed an aerial layout of the existing site outlining the property lines. The owners are proposing to construct a 9,950 +/- square foot Church to be located on Tull Drive; identified as TMP # 531-10.00-217.02. The property is zoned C-2 Highway Commercial. A variance was granted to allow a Church to be built on this site. An onsite stormwater management system is shown and will outfall to the City's existing system located on Tull Drive. There will also be an enclosed dumpster area provided on site. There are 79 parking spaces including 8 handicap spaces proposed. Site lighting will be required on site. A sidewalk will be installed along the Tull Drive side of the property and Tull Drive will be extended to the western property line. The project has received approvals from Sussex Conservation District, the State Fire Marshal's office and the City's Engineer.

Mayor Genshaw asked for any questions or comments from Council. Councilman Henderson asked what changes have been made since it was presented for preliminary approval? Mr. Bailey stated that there were no changes made. Councilman King asked if this is the property that is located behind Pastor Ross's church? Mr. Bailey stated that it was.

Mayor Genshaw asked for any questions or comment from the Public; there were none.

Mayor Genshaw closed the Public Hearing at 7:08 p.m. and reopened the regular Council meeting.

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

- Project: Hunter Creek Homes Lot Subdivison
- Property Location – Arch St Ext and State St
- Tax Map & Parcel 331-5.18-101.00
- Zoning – R2 Medium Density Residential
- Proposed Lots meet area and bulk regulations.
Minimum lot size 4,500 sq. ft.

Minimum width 35 ft.

- Lot 1 5,162 sq. ft. / 54 ft
 - Lot 2 5,167 sq. ft. / 54 ft
 - Lot 3 5,548 sq. ft. / 54 ft
-
- Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw then called for a motion. Councilman King made a motion to approve the request of Hunter Creek Homes, located at lot 6 E. Arch Street Extd., Tax Map and Parcel # 331-5.18-101.00, to subdivide the property into three lots as presented. Councilman Holland seconded the motion. Mayor Genshaw then called for a Roll Call Vote:

Councilman MacCoy voted yes based on Findings of Facts;
Councilman Henderson voted yes based on Findings of Facts;
Councilman Holland voted yes based on Findings of Facts;
Councilman King voted yes based on Findings of Facts.

The motion so passed.

Mr. Bailey presented the Findings of Facts for Public Hearing Item #2:

- Project: Ross Point Freedom Church
- Property Location – Tull Dr & Sussex Ave
- Tax Map & Parcel 531-10.00-217.02
- Zoning: C2 Highway Commercial
- Proposed development of a 9,950 sq.ft. Church
- A variance was granted to allow a church to be built on the site
- Onsite SW management system will be required and will outfall to the City's existing system in Tull Drive.
- An enclosed dumpster area will be provided;
- 79 parking spaces, including 8 handicap spaces are proposed.
- Site lighting will be required.
- Sidewalk will be installed along the Tull Drive side of the property and Tull Drive will be extended to the western property line.
- Project received approvals from Sussex Conservation District, The State Fire Marshal's office and The City's Engineer.
- Planning and Zoning made a favorable recommendation to Council.

Mayor Genshaw called for a motion. Councilman King made a motion to approve the request of Ross Point Freedom Church, located off of Tull Drive Tax Map and Parcel # 531-10.00-217.02, for a Final Site Plan approval for a proposed Church with associated parking as presented. Councilman Holland seconded the motion. Mayor Genshaw then called for a Roll Call Vote:

Councilman MacCoy voted yes based on Findings of Facts;
Councilman Henderson voted yes based on Findings of Facts;

Councilman Holland voted yes based on Findings of Facts;
Councilman King voted yes based on Findings of Facts.

The motion so passed.

New Business

Mayor Genshaw presented New Business Item #1: Present for approval a request from Better Homes of Seaford, the contract purchaser of TMP # 331-5.00-4.24 (City owned property) to start construction on the property prior to closing on October 24th. City Manager Anderson stated that a letter was received from Mr. Bill Roupp, Executive Director of Better Homes of Seaford with this request. They have a tentative closing date of October 24th for the property. Their general contractor would like to get started on the preliminary site work to get ahead of the winter weather, which can delay site work and hence delay completion of the project.

They would obtain the permits from the City and the County before starting any work and they do understand that any work they do on site is at their risk if for some reason the project was not funded. They also know that they will be responsible to return the property to its present condition if the settlement falls through.

City Manager Anderson added that he discussed adding in a time frame for this request with Vice-Mayor Henderson. It was recommended to allow the request for a month; therefore, the extension would be good through November 24, 2019. Mr. Roupp was present to answer any questions that the Council may have.

Mayor Genshaw solicited any questions from Council. Councilman Henderson asked what LIHTC stood for? Mr. Roupp stated that it stands for Low Income Housing Tax Credit.

Mayor Genshaw then called for a motion. Councilman Holland made a motion to approve the request from Better Homes of Seaford, the contract purchaser of TMP # 331-5.00-4.24 (City owned property) to start construction on the property prior to closing on October 24, 2019 as presented with the approval being granted until November 24, 2019. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business Item #2: Present for consideration proposed language revisions and monetary limits changes to Section 14 – Contracts and Section 37 – Floating Debt, of the City of Seaford Charter. City Manager Anderson stated that about a month ago, Director of Electric, Bill Bennett came to the City Council with a request to accommodate an Economic Development project. Due to the current bidding requirements, it made for a long lead time which made it hard to meet the fast track schedule of the developer.

The proposed language for the changes being presented tonight is the same language that the State of Delaware uses. He added that this will be sent to our attorney to draft and then we will reach out to our legislators for their support. This will all be presented in January once they are back in session if it is desired to move forward.

Mayor Genshaw solicited any questions from Council. Councilman King asked if the language of Section 37 that states "The City Council of the City of Seaford shall have the full power to anticipate revenue by borrowing upon the full faith and credit of the City of Seaford" could be further explained? City Manager Anderson stated that allows the City to enter into loans and other forms of borrowing above the limit specified which is currently \$2 million dollars. If it reaches above the specified limit, it has to go to a referendum, otherwise, the City Council provides the approval.

Councilman MacCoy suggested to consider raising the limit to a higher amount than \$3 million dollars that is recommended since the amount has not increased in a long time and the cost of projects is increasing. Councilman King stated he feels that if we keep pushing the amount up, we are not allowing the citizens to have a voice.

Councilman Henderson asked where the proposed amount of \$3 million dollars came from? City Manager Anderson stated that staff looked at where we currently are and based on recent project and budgetary experience. He added that it wasn't meant for the number to be raised so high to not allow the public to have a voice.

Councilman Henderson pointed out that it would have to wait another year to do a Charter change if we desired to raise the amount again due to the legislator's schedules. He asked if more history could be provided on when it was changed prior and how much it was increased. He added that keeping the amount low can be a disservice rather than a help to the community. If an emergency situation were to happen, you would need to act accordingly. A referendum takes time that could not be available. City Manager Anderson stated that staff can do the research to see what can be found about prior Charter changes and will bring that information back to the next meeting.

Mayor Genshaw then called for a motion. Councilman Henderson made a motion to table until a further date for proper numbers for Section 37 to be provided. Councilman MacCoy seconded the motion; motion so passed with all present voting in favor.

OLD BUSINESS:

There was none.

COMMITTEE REPORTS

Councilman MacCoy reported on Public Works.

Past two weeks:

Public Works:

- The Tull Drive road extension project is complete
- Replaced hydrant at 700 Washington
- Replaced hydrant on School Ln. and State St.

- Drained Spruce tower with repaint project starting on 9/16/19
- Cleaned up a couple more properties for Code
- Market Street sewer main replacement project has completed all pipe work. ADA ramps and paving left to be completed
- Riverview Park shoreline project has completed all water work
- Had Parks sweep both bridge sidewalks into street and had DelDOT sweep both bridges
- Weed sprayed
- Attended multiply meetings Riverview construction, Tull Dr. construction, Western Sussex sewer progress, Market St. sewer project progress, utility staff meeting, met with developer about Hurley Park Dr. properties, construction meeting, met with school Superintendent, met about sewer interceptor relocation
- One man down due to injury
- Performed all routine tasks; swept, L & L, big piles, read meters, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc...

WWTF & COMPOST

- Plant performance is good
- No compost at the time until late October
- Leachate treatment going well
- DNREC on-site to take compliance samples 9/18/19
- Some prep work started for additional blower installations

Upcoming two weeks:

Public Works

- Work on replacing remaining meters
- Monitor remaining projects; Spruce tower, Riverview Park, Venture Dr. Ext., Market St. sewer
- Fire hydrant flushing to begin on September 30th
- 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
- Marty and Brian will be attending EPA Pretreatment conference on 9/26

Councilman Henderson reported on Police, Fire, & EMS.

Seaford Volunteer Fire Department, Inc.

Report from President Rick Stewart:

A meeting with the IAFF and SVFD officials was held on September 23, 2019 in Seaford Library Meeting Room. The next meeting is scheduled for October 9, 2019.
The audio system installation project by Mid South Audio is substantially complete. There remain a few punch items: existing system demolition and restoration of surfaces, and minor system configuration.

Report from Chief John Wilson:

Alarms to date as of 9/23/19 (1200 hours)

Fire 518

EMS 2606

Significant Alarms: None to report

All other units are in service

Fire Prevention Week

St Johns Preschool – Station 87 – October 7 & 8

West Seaford 1st Grade – Station 87- October 9

Seaford ECAP- Boys and Girls Club – October 11

Seaford HS Preschool – Seaford HS – October 15

Seaford Montessori School- October 19

Community Events

Seaford Night Out – Seaford PD- September 26

Blue Jay Pride Day – Seaford HS- October 4

Ross Mansion Trunk or Treat – October 26

Training

Vehicle Rescue Evolutions – Murray Motors- October 18th 6 members attended Class Taught by Delaware State Fire School

Seaford Police Department

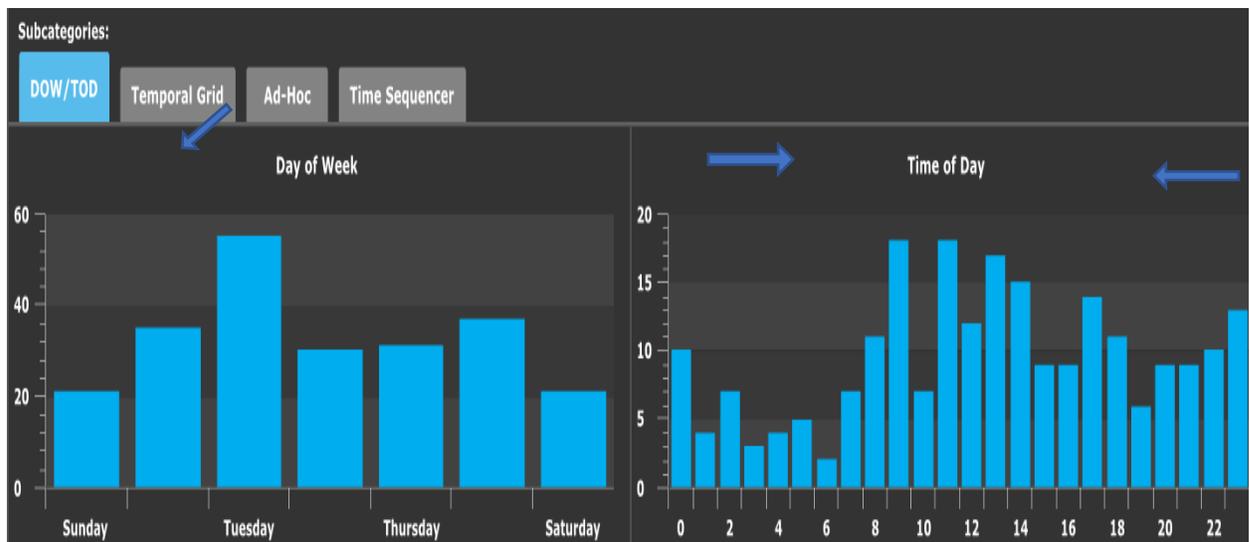
Police Activity during period of Monday September 09 through Sunday September 22, 2019 as reported by Chief Marshall D. Craft, Jr.:

| INCIDENTS | TOTAL YTD |
|-------------------------|-----------|
| All crimes | 5081 |
| All Traffic (E-Tickets) | 5981 |
| All DUI | 34 |
| All Crashes | 406 |
| | |
| False Alarms | 387 |

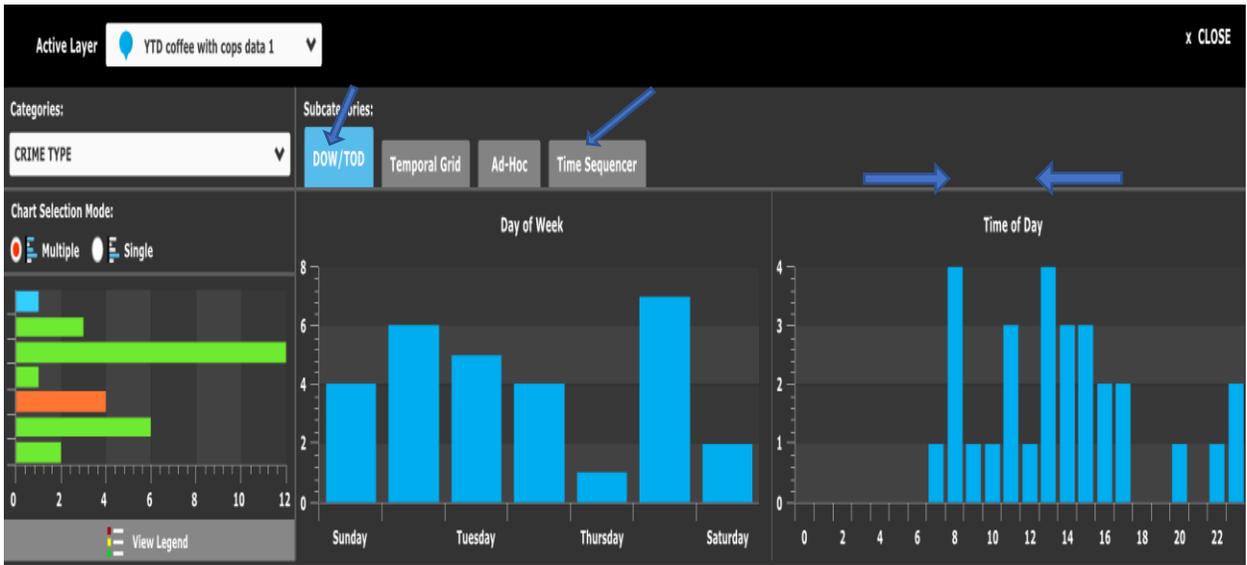
Police Activity during period of Monday September 09 through Sunday September 22, 2019.

Criminal

- All complaints: 230
- Felony: 15
- Misdemeanor: 48
- Violations: 7
- Other: 160
- 89% Clearance Rate (overall)
- Tuesday from 0900-2300 hours

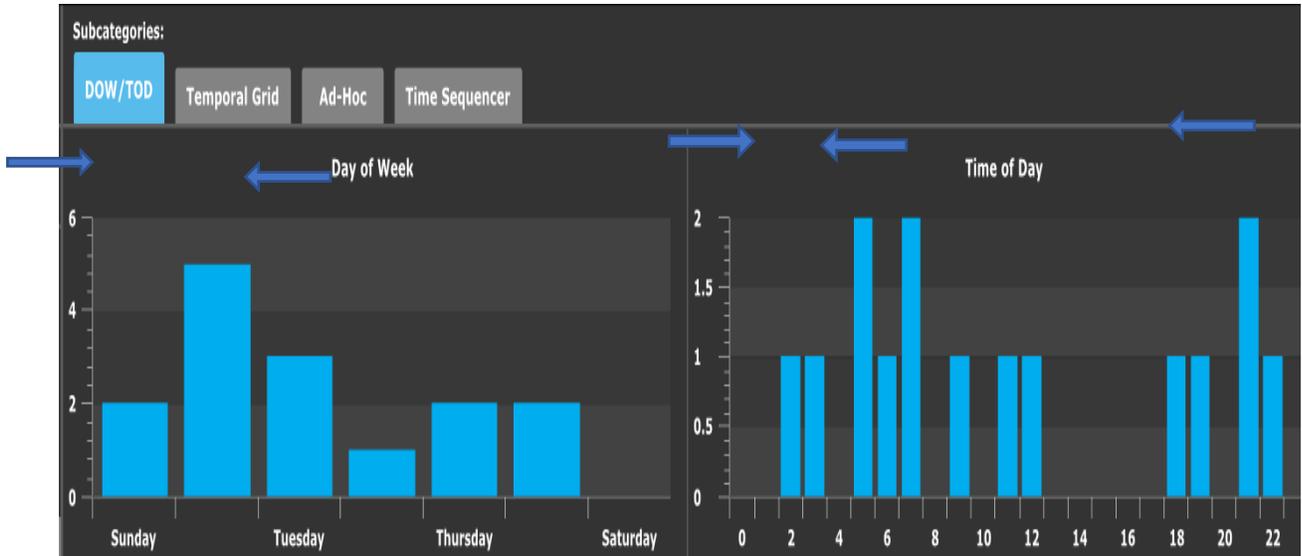


Additional Data: Aggravated Assault, Motor Vehicle theft, Theft, and Shoplifting: (45% clearance rate during this reporting period overall for these categories. Most occurred on Friday from 1300-1700)



False Alarms

- All Alarms: 15
- Mon & Tue from 0500-0700 hours and a spike at 2100 hours



YTD False Alarms Pin Map:

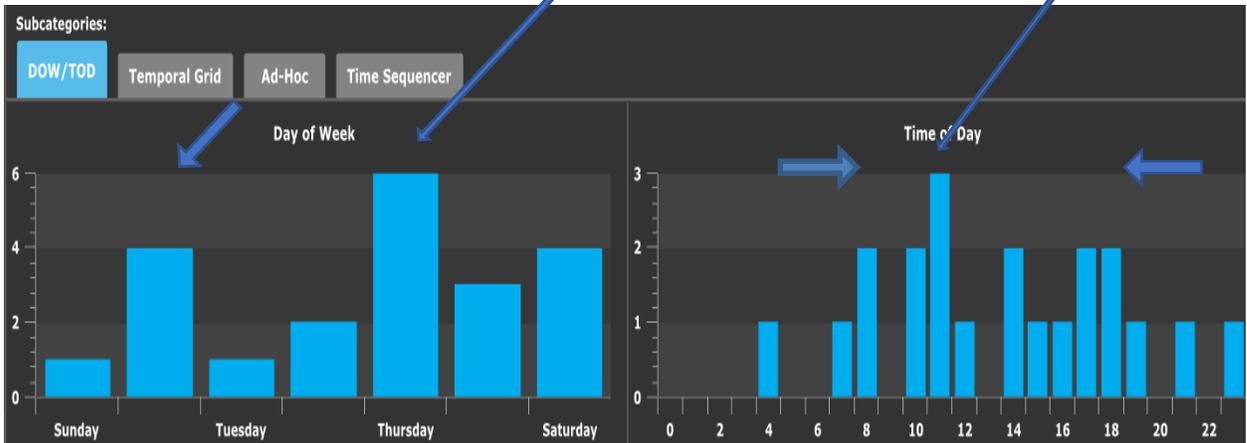


Drug Complaints:

- Drug Crimes: 6
- Search Warrants: 0
- Overdose: 0

Traffic

- Citations: 276
- Cell Phone Violation: 1
- Reckless, Careless or Inattentive: 5
- DUI: 1
- Crashes: 21
- Injury: 4
- Non-Injury: 17
- Hit & Run: 1 – non-injury
- Drug related crash: non-injury
- Mon & TH 0800-1800 (most occurred on TH at 1100)



Significant Events:

09/11/19, Officers responded to Clementine Ct. for a reported domestic related assault. Investigation revealed the defendant assaulted his pregnant girlfriend, which elevated the charge to assault 2nd felony. (71-19-10525)

On 09/17/19, Officers responded to the Royal Farms (Market & High St) for a reported domestic related Aggravated menacing (felony), PDWDCF and endangering the welfare of a child. Investigation revealed the defendant displayed a knife during a verbal altercation and threatened to do bodily harm in the presence of children. (71-19-10716)

On 09/18/19, Officers responded to Airport road (methadone clinic) for a reported accident (vehicle vs. Building). Investigation revealed the defendant intentionally struck the front on the building with her motor vehicle. She then entered the building and began to assault patrons within. (71-19-10738)

Admin

9/09- Director's Meeting- Chief
9/10- DE Chief's meeting (Dover) - Chief
9/10- City Council Meeting -Chief
9/11- Staff meeting City Hall - Chief
9/12- Chaplin Interviews - Chief and Pastor Larry Davis
9/13- S.C. Health Coalition meeting- D. Chief
9/16- Admin meeting with NMH security team - Chief, D. Chief, Criminal Lt. and Sgt. Sterner
9/16- EOC Meeting - Chief
9/17- S.C. Chiefs meeting- Chief
9/18- WBOC/Delmarva Life interview - D. Chief
9/20- Trinity Trucking meeting- D. Chief

Training

9/15- Four SPD recruits began DSP Academy training (22 weeks)
9/17- Sgt. Miller attended Financial Crimes Training DNREC Auditorium - 8 hours

Councilman Mulvaney was absent but submitted his report for the Electric Department.

Since the last report

Crew collected pad mount transformer information for GIS.
Moved the parklet to Parks & Rec for the winter.
Blake Chaffinch and Nick Moore attended the QEI users conference. (SCADA)
Trimmed trees on Thompson St, Liberty St and Perkins St.
Had an outage on circuit 210(9-10-19) caused by a bird. The circuit was out about 1 1/2 hours.
Eskridge Hwy, Sussex Hwy from the bridge north to Grottos.
Performed monthly substation checks.

Put the electric board at the Jays Nest for the show performance and movie night.
Blake worked on alerts from the AMI meters.
Started putting up the LED lights on Sussex Highway. (money received from Rep. Short & Sen. Richardson.)
Had an outage on circuits 270, 280 & 290 due to a squirrel tripping the main breaker in Pine St substation transformer 2.
Had an outage on Dover St and on Porter St due to squirrels.

Director

Had my Council Liaison meeting.
Called one of the engineers for the Montessori School.
Had a directors meeting.
Had a meeting at the SPD about electric for Night out.
Had a meeting with Katie about electric for the show at the Jays Nest.
Had a staff meeting.
Had a bi-weekly AMI meeting.
Had a meeting with Planet Fitness about putting a fence around their transformer and disconnect switch.
Reviewed the proposal from GMB for updating the meters at Ross Substation.
Had a meeting with the electrical engineer about the Montessori School project.
Had a meeting with Jared Price on AMI meters.

Upcoming Weeks.

Take the load off of transformer 2 in Pine Street substation to change a burnt insulator from the squirrel.
Change the lights on Sussex Highway to LED and take down the banners
Continue remarking poles from the distribution circuit changes.
Continue collecting the data for the GIS system.

Councilman Holland reported on Administration.

MEETINGS:

- ✓ Attended an MPO meeting.
- ✓ Attended the City Hall prayer meeting.
- ✓ Attended staff meeting.
- ✓ Attended the SCAT steering committee meeting.
- ✓ Attended the DEMEC annual Dinner.
- ✓ Met with a developer RE: Hurley Park Drive lots.

OTHER WORK:

- ✓ Prepared the Council agenda.
- ✓ Worked on the 911 Center presentation.

Information Technology Report:

- ✓ Verify DNS registration for access and trial of Office 365 environment
- ✓ Configure SolarWinds software
- ✓ Work with NMH to provided employee health fair 10/18
- ✓ Develop spreadsheet on subscription model comparison
- ✓

Administration Report for Council –

- ✓ Prepare for Audit
- ✓ Attend AMI Project update call
- ✓ Continue working with MetLife to locate participants beyond the effective date.
- ✓ All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc

Councilman King reported on Code and Parks and Recreation:

Code Department Report:

Building Official Mike Bailey reports that the Code Department is doing routine inspections for on-going projects, violation inspections throughout the city and performing plan reviews for new permits.

The Code Dept. has issued 185 permits and 557 Rental Licenses as of September 24, 2019. (Invoices have been mailed out for the rentals that did not apply for the license. There are 43 outstanding rental invoices.)

Large Project Statuses:

- Riverplace Phase 2 – Insulating the walls and starting drywall on upper floor.
- Wawa – Permits paid for. Tea Tyme property demo to start 1-2 months.
- Our Lady of Lourdes Church – Block work has started.
- La Red Renovations – Permits issued.

Parks & Recreation Departments Report:

Superintendent of Parks and Recreation Katie Hickey reports that the Parks Department has completed routine jobs including mulching, spraying, grass cutting, trash pick-up and work orders.

- Rejuvenation of the Nutter Park basketball courts on 9/18.
- Hosted Theatre Performance at Seaford High School on 9/12.
- Hosted Movie Night in the Park on 9/14.
- 5th week of Men's Slow Pitch Softball.
- Completed 2nd week of projects with the High School Special Needs program.
- Sold a total of 42 Pink Wooden Ribbons for Brest Cancer Awareness.
- Current sign ups - 202 for Youth Soccer & 150 for Flag Football.
- Edge walking trail around Hooper's Landing.
- Submitted ORPT Grant reimbursement in the amount of \$7655.50.
- Katie also attended various meetings and workshops.

- Reminder: Monday, October 7th is the Annual Pink Ribbon Breast Cancer Awareness Walk – activities begin at the Allen Cancer Care Center at 6:15 p.m. and the walk will begin at 7:00 p.m. to Gateway Park. Ceremony to follow.

Mayor Genshaw called for a motion to close the regular Council Meeting. Councilman Henderson made a motion to close the regular Council Meeting. Councilman MacCoy seconded the motion; motion so passed with all voting in favor. The regular Council Meeting closed at 7:49 p.m.

Charles D. Anderson, City Manager

/tnt