

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

September 25, 2012

7:00 PM

Vice-Mayor J. Rhea Shannon called the Regular Meeting to order with the following present: Councilwoman Leanne Phillips-Lowe, Councilwoman Pat A. Jones and Councilman David Genshaw. Dolores J. Slatcher, City Manager, Josh Littleton, Building Official, Gary Morris, Chief of Police and Charles Anderson, Assistant City Manager, were also present.

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

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

Vice-Mayor Shannon called for a motion to approve the Minutes of the Regular Meeting of September 11, 2012. Councilman Genshaw made the motion to approve the minutes of September 11, 2012. Councilwoman Phillips-Lowe seconded the motion. The motion so passed with all present voting in favor.

Vice-Mayor Shannon asked Mr. John Mark Wilson, Jr. to come forward to present him a Proclamation for receiving the rank of Eagle Scout from Mayor William G. Bennett.

Vice-Mayor Shannon closed the Regular Meeting at 7:05 p.m. and opened the Public Hearing.

Josh Littleton, Building Official presented Public Hearing #1, Seaford School District, the property owners of Seaford Senior High School, 399 N. Market Street, Tax Map & Parcel 3-31-5.00-6.00, are requesting a final site plan review and approval for the expansion to the Seaford High School along with ancillary site modifications. Mr. Littleton stated that Mr. Roy Whitaker from Seaford School District and Mr. Mike Reed from Becker Morgan Group were both present this evening. The project will include a 51,000± sq.ft "New Tech Academy" addition; 8,900 ± sq.ft "Culinary Arts" addition and a 3,000 ± sq.ft "Agricultural program" addition. Mr. Littleton explained that the property is zoned R-2 Medium Density Residential and on November 2, 2011 – Board of Adjustment granted an expansion of the existing Special Use Exception for the School as required by the Zoning Ordinance. He added that the project complies with City Zoning Ordinance. A maintenance agreement will be necessary between the City and School District due to the interconnection of four catch basins on School Lane. The City Engineer, GMB, Inc. has reviewed the on-site stormwater system and the possible effects on the existing City Stormwater System. GMB has issued a "Letter of No Objection". Mr. Littleton also stated that the project has received approvals from: State Fire Marshal – Site Plan, DNREC- Storm water review and State Dept of Health for the new water main connection.

Vice-Mayor Shannon solicited any questions from the public; there were none. He then solicited any questions from Council; there were none.

Mr. Littleton presented Public Hearing #2, M&T Bank and William R. and Rex L. Mears Trustees, property owners of Mearfield Subdivision, are seeking approval for a revised Phasing Plan. The purpose is to: Adjust the Phasing lines so all of the lots owned by William R. and Rex L. Mears are in Phase 3&4; Adjust the Phasing lines so all of the lots owned by M&T Bank are in Phase 1&2; Adjust the Phasing lines so that all of the lots in Phase 1 comply with the Phasing Plan for Development Policy and meet the 75% requirement to allow construction to occur in Phase 2. Mr. Littleton added that M&T Bank and William R. & Rex L. Mears are seeking approval for a revised phasing plan. The existing phasing lines cross between the ownership of the lots, which is inhibiting the development from moving to the next phase. The request is to adjust the phasing lines so all undeveloped lots owned by M&T Bank are in Phase 1 & 2 and adjust the phasing lines so all undeveloped lots owned by Mears are in Phase 3 & 4. This proposal will also bring Phase 1 to 75% completion status, allowing the development of phase 2 to begin. He also stated that both owners have agreed to the revision. Mr. Littleton explained that with the change, for Phase 1 the original lot layout included 34 and with the proposed change it would be 29, Phase 2 original lot

layout included 84 and with the proposed change it would be 77, Phase 3 original lot layout included 45 and with the proposed change it would be 50 and Phase 4 original lot layout included 50 and with the proposed change it would be 57. He added that per the phasing policy - "The Phasing limits may be reviewed and adjusted by City administration based upon unique individual circumstances." There are 213 lots total and the phasing policy limits developments with 101-250 lots to a maximum of 33% in any given phase, or 70 lots in this case. Mr. Littleton added that the proposed phasing is in compliance with the phasing plan

Vice -Mayor Shannon solicited any questions from the public; there were none. He then solicited any questions from Council; there were none.

Vice-Mayor Shannon closed the Public Hearing at 7:12 p.m. and reopened the Regular Meeting.

Mr. Littleton presented the Findings of Facts for Seaford High School Addition Final Plan Review:

- Final Site Plan Review
- Property is zoned R-2 Medium Density Residential
- November 2, 2011 – Board of Adjustment granted an expansion of the existing Special Use Exception for the School as required by the Zoning Ordinance
- Project complies with City Zoning Ordinance
- A maintenance agreement will be necessary between the City and School District to delineate maintenance responsibilities of the stormwater, water & sanitary sewer facilities serving the project.
- Project received approval relating to the site from:
 - State Fire Marshal – Site Plan
 - DNREC- Storm water review
 - State Dept of Health – approval to connect to the existing water main
 - GMB has issued a "Letter of No Objection" for discharge of the project storm water into the municipal drain system.

He added that Planning and Zoning has recommended final plan approval as presented.

Vice-Mayor Shannon called for a motion. Councilman Genshaw made a motion to approve the final site plan for the Seaford School District, 399 N. Market Street, Tax Map & Parcel 3-31-5.00-6.00 for the expansion of the Seaford High School along with ancillary site modifications as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Shannon then called for a Roll Call Vote:

Councilwoman Jones voted in favor based on findings of fact;
Councilwoman Phillips-Lowe voted in favor based on findings of fact;
Councilman Shannon voted in favor based on findings of fact;
Councilman Genshaw voted in favor based on findings of fact.

Vice-Mayor Shannon confirmed that the motion passed with all present voting in favor.

Mr. Littleton presented the Finding of Facts for Mearfield Subdivision Revised Phasing Plan Approval:

- The current phasing plan does not follow the ownership of lots;
- The proposed phasing plan is divided with the current ownership of the site; and complies with the City's phasing policy.
- Both property owners are requesting the revision.

He added that Planning and Zoning has recommended final plan approval as presented.

Vice-Mayor Shannon called for a motion. Councilwoman Phillips-Lowe made a motion to approve the rephrasing plan between the property owners of Mearfield Subdivision being M&T Bank and William R. and Rex L. Mears as presented. Councilman Genshaw seconded the motion; motion so passed with all present voting in favor.

Vice-Mayor Shannon then called for a Roll Call Vote:

Councilwoman Jones voted in favor based on findings of fact;
Councilwoman Phillips-Lowe voted in favor based on findings of fact;
Councilman Shannon voted in favor based on findings of fact;
Councilman Genshaw voted in favor based on findings of fact.

Vice-Mayor Shannon confirmed that the motion passed with all present voting in favor.

Correspondence

City Manager Slatcher stated that Mayor Bennett asked her to read a letter from Mr. Dan Cannon dated September 11, 2012. The letter was in reference to the City administration customer service and how the late fee is applied to the bills.

City Manager Slatcher presented New Business # 1, Present for a request by the Police Department for a grant – Fund to Combat Crime in the amount of \$24,752.31 for approval. City Manager Slatcher stated that with this grant, they will be purchasing new portable radios, new handguns and 1 desktop computer with monitor and printer. Councilman Genshaw made a motion to approve the Police Department to file for the Fund to Combat Crime Grant in the amount of \$24,752.31 as presented. Councilwoman Jones seconded the motion; motion so passed with all present voting in favor.

City Manager Slatcher presented Old Business #1, Present for second reading and adoption of Ordinance #2012-05, Chapter 10 of the Municipal Code of Seaford, Delaware relating to "Refuse". Councilwoman Jones made a motion to approve Ordinance #2012-08 Chapter 10 of the Municipal Code of Seaford, Delaware relating to "Refuse" as presented. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all voting in favor.

City Manager Slatcher presented Old Business #2, Present for second reading and adoption of Ordinance #2012-06 Chapter 12 of the Municipal Code of Seaford, Delaware relating to "Streets". Councilwoman Phillips-Lowe made a motion to approve Ordinance #2012-06 Chapter 12 of the Municipal Code of Seaford, Delaware relating to "Streets" as presented. Councilman Genshaw seconded the motion; motion so passed with all present voting in favor.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- DEMEC annual meeting, Dover Downs, September 26th @ 5 p.m.
- Police Night Out, Police Department, September 27th from 5 p.m. until 8 p.m.
- Cancer Walk from Nanticoke Memorial Hospital Cancer Center to Gateway Park on October 1st organizing at 7 p.m.
- SCAT dinner meeting, October 3rd @ 6 p.m. @ SVFD Banquet Hall

COMMITTEE REPORTS

Councilman Genshaw reported that the Recreation department has been busy with soccer, flag football and co-ed volleyball. They are also doing different methods by sending out e-mails to attempt to get more people involved in the little wrestlers program. They are trying to catch up from being short handed this summer in the parks departments and catch up on the work orders.

Councilman Shannon reported that he will be attending the fire department meeting tomorrow night and everything is routine at the police department.

Councilwoman Jones reported that June is finishing working with the auditors. The bills were due yesterday and disconnects will occur on October 8th. She added that they will start reading water meters tomorrow and electric meter reading is scheduled for October 1st and 2nd. There will be an advanced defensive driving class at the Police Department on October 8th from 6 to 9 p.m. which you need to be pre-registered to attend.

Councilwoman Phillips-Lowe reported that the Public Works department has done a punch list of items for the Washington Street project. They are also working on clean ups for the Code Department. She also stated that a meeting was held last week with DNREC in reference to the Hooper's Landing spray irrigation project and with DeIDOT in reference to the Porter Street project. The backhoe and street sweeper have had some repairs done to them and leaf pick up will start on October 1st. The code department has done 20 violations letters, 40 work orders and have issued 6 building permits.

City Manager Slatcher reported for Councilwoman Peterson that one of the linesmen has finished their first year of school and will be going to the second level. There was an outage that occurred last week when a vehicle hit a pole on 13A. The tree trimming in Westview has been completed by John's tree service. The department is working on removing some trees in the east side.

City Manager Slatcher added that she will be out of town on vacation next week and Charles Anderson will be the acting City Manager.

With no further comments, Vice-Mayor Bennett Shannon for a motion to close the Regular Meeting of Mayor and Council. Councilwoman Jones so moved. Councilwoman Phillips-Lowe seconded the motion and the motion so carried with all present voting in favor. Mayor Bennett closed the meeting at 7:32 p.m.

Dolores J. Slatcher, City Manager

/tnt

Attachments: letter from Dan Cannon 9/11/12