

REVISED: December 4, 2015

**AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
December 8, 2015
SEAFORD CITY HALL - 414 HIGH STREET**

- 7:00 P.M.** - Mayor David Genshaw calls the Regular Meeting to Order.
- Invocation
 - Pledge of Allegiance to the Flag of the United States of America.
 - Changes to agenda for this meeting.
 - Approval of minutes of the Regular Council meeting of November 24, 2015.

CORRESPONDENCE:

- 1.

NEW BUSINESS:

1. Discuss for approval the change in date for the November 8, 2016 regular Council meeting to Monday, November 7, 2016 due to the Department of Elections Sussex County Office using City Hall as a polling place for the General Election.
2. Discuss the sale of City owned land SCTP No. 4-31-5.00-208.00 - adjacent to Royal Farms.
3. Present policies for social media for general employees and police department personnel.
4. Present information on CGI Communication Banner Program Benefits and Streetscape Banner Program agreement for approval.

OLD BUSINESS:

1. Present for the second reading and adoption of Chapter 2, Article 4 of the Municipal Code of Seaford, Delaware is hereby amended by changing the residency requirement for the positions listed to be thirty miles.
2. Discuss the public comment period for the six month review by Council which was to be on this agenda as designated by Mayor Genshaw from the August 11, 2015 regular council meeting.

PUBLIC COMMENT PERIOD:

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Agenda

Regular Meeting of the Mayor and Council
December 8, 2015

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. Western Chamber Holiday Social, Johnny Janosik, Laurel, Wednesday, December 9th 5:30 p.m. - 8 p.m.
2. Police Department Breakfast, Pizza King, Thursday, December 10th at 8 a.m.
3. Employee Christmas Party, SVFD Banquet Hall, Saturday, December 12th from 5:30 p.m. - 10 p.m.
4. Elected Officials & Staff Breakfast, Pizza King, Wednesday, December 16th at 7:30 a.m.
5. Social at John Hollis, Thursday, December 17th at 4 p.m.
6. Downtown Seaford Association dinner at the French Quarter, Monday, December 21st at 6:30 p.m.
7. There is no regular Council meeting on December 23rd.
8. Christmas and New Year Holidays all offices closed except Police Patrol and call-ins for emergencies, Thursday, December 24th and Friday, December 25th for Christmas and Friday, January 1, 2016 for New Year's Day.

COMMITTEE REPORTS:

1. **Police & Fire - Councilwoman Leanne Phillips-Lowe**
2. **Administration - Councilman H. William Mulvaney III**
3. **Parks and Recreation - Councilman Orlando Holland**
4. **Operations Committee - Councilman Dan Henderson**
5. **Electric - Councilwoman Peterson**

Mayor Genshaw solicits a motion to adjourn the regular council meeting.

NOTE: Agenda shall be subject to change to include or delete Additional items (including executive session) which arise at the time of the meeting. (29 Del. C. S1004 (e) (3))

N.B. 3(a)
12-08-15

**SEAFORD POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE
SOCIAL NETWORKING POLICY 15-01**

I. PURPOSE

To establish procedures and guidelines for the acceptable use of social media. Employees should be aware that this policy is not intended to be comprehensive in scope. Instead employees are expected to apply the standards set forth in this policy and the more general standards of good judgment and professionalism to all conduct including their conduct online.

II. POLICY

Employees who choose to identify themselves on any social media as employed by the City of Seaford Police Department, whether explicitly, implicitly or visually shall consider themselves to be publicly representing the Department and are bound by the Department's policies and procedures as well as the conditions set forth in this policy.

III. DEFINITIONS

- A. Social Networking/Media – The utilization of web-based internet applications (websites) that allow an individual to create a public or semi-public identity using their name or alias. This includes the use of any website, cellular, wireless device or other media that allows the user, their associates or others to post electronic messages or images to a public, semi-public or restricted forum or audience, including but not limited to Facebook, Myspace, Twitter, YouTube, Flickr, Snapchat, Instagram and web blogs.
- B. Blog – A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments.

IV. USE

- A. Employees to include dispatchers, administrative secretary and records clerk shall not post, access or monitor Social Networking sites by any method when on duty unless such posting and/or monitoring is for a law enforcement purpose, which is cleared by the Chief of Police or Deputy Chief. For the purpose of this policy "On Duty" is considered any time a employee is being compensated (except vacation, sick leave or leave of absence) by the City of Seaford in exchange for services as a member of the Department.
- B. Employees should be aware that information posted on social networking sites is not secure or private. Firewalls and privacy claims by service providers cannot be trusted to safeguard information once it is posted on the internet. Information posted on the internet is considered to be accessible indefinitely. Posting of photographs or personal information may result in unintended consequences, such as manipulation by defense counsel to undermine an employee's credibility or integrity. Information being viewed may be altered, printed and redistributed by other internet users including criminal organizations; jeopardizing the confidentiality and safety of themselves, family members, friends and other City of Seaford Employees.

- C. Employees are free to express themselves as private citizens on social media sites to the degree that their actions do not violate confidentiality agreements, reflect negatively on the City of Seaford or the Department, impair discipline or negatively affect the public perception of the Department.
- D. For safety and security reasons, Department employees are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the Department without their permission.
- E. Employees shall not publish or direct others to publish; content that would adversely affect the public's respect and/or confidence in the City of Seaford, Seaford Police Department or City of Seaford Elected, or Appointed Officials, bringing discredit upon an employee or the Department.
- F. When using social media, employees should be mindful that their speech and actions become part of the worldwide electronic domain. Therefore, adherence to the Departments code of conduct is required in the personal use of social media.
- G. Employees shall not publish any information that would bring embarrassment, disgrace or doubt as to their credibility as an impartial officer of the law or civilian employee.
- H. Employees are prohibited from posting photographs, Departmental insignia or other depictions of the Department or any of its property such as the uniform, patch, badge, building or vehicle to any personal social networking/media site or blog without the prior authorization of the Chief of Police or Deputy Chief.
- I. Employees shall not publish any information they have learned as a result of their duties as an employee of the Department which would not otherwise be made public through traditional media outlets.
 - 1. This includes but not limited to traffic stops, crash investigations, criminal investigations, radar locations, critical incident information, arrest information, and special operations by way of photographs, video, audio, comments, discussion or other media technology.
- J. Any employee having knowledge of another employee's posting, website, social media or web page in violation of this policy shall notify their supervisor immediately.
- K. The use of Departmental computers by employees to access social media is strictly prohibited without prior authorization by the Chief of Police or Deputy Chief.
- L. No employee shall post information which is derogatory to any group, or individual based on race, sex, sexual orientation, religion, political view.
- M. Departmental employees are prohibited from posting obscene or sexually explicit language, images or acts, statements or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, sex, sexual orientation, religion, political view or individual.
- N. No employee shall post on any Social Networking Site maintained by, frequented by or intended for the use of:

1. Any organization which in any way calls for threats and/or violence against an individual or group due to their sex, sexual orientation, race, religion, age or political view.
 2. Any organization which in anyway suggests hate speech, racial slurs, ethnic slurs, or slurs against any person or group of persons due to their sex, sexual orientation, race, religion, age or political view.
- O. As public employees department personnel are cautioned that speech on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee’s professional duties and responsibilities – **is not protected speech** under the First Amendment and may form a basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their employment and this Department.
- P. If at any time you are uncertain about the application of this policy or if a question relating to the appropriate use of social media arises you should seek the guidance of the appropriate individual before posting or otherwise engaging online.

N.B. 3(b)
12-08-15

City of Seaford
EMPLOYEE HANDBOOK – DIVISION 10 GENERAL CONDUCT
SOCIAL NETWORKING POLICY Sec. 2-122b.

I. PURPOSE

To establish procedures and guidelines for the acceptable use of social media. Employees should be aware that this policy is not intended to be comprehensive in scope. Instead employees are expected to apply the standards set forth in this policy and the more general standards of good judgment and professionalism to all conduct including their conduct online.

II. POLICY

Employees who choose to identify themselves on any social media as employed by the City of Seaford, whether explicitly, implicitly or visually shall consider themselves to be publicly representing the City and are bound by the City's policies and procedures as well as the conditions set forth in this policy. Employees of the Seaford Police Department are to adhere to the parameters in their Standard Operating Procedures - Social Networking Policy 15-01.

III. DEFINITIONS

- A. **Social Networking/Media** – The utilization of web-based internet applications (websites) that allow an individual to create a public or semi-public identity using their name or alias. This includes the use of any website, cellular, wireless device or other media that allows the user, their associates or others to post electronic messages or images to a public, semi-public or restricted forum or audience, including but not limited to Facebook, Myspace, Twitter, YouTube, Flickr, Snapchat, Instagram and web blogs.
- B. **Blog** – A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments.

IV. USE

- A. Employees to include all full and part-time shall not post, access or monitor Social Networking sites by any method when on duty unless such posting and/or monitoring is for City purpose, which is cleared by the City Manager or Assistant City Manager. For the purpose of this policy "On Duty" is considered any time a employee is being compensated (except designated break periods, vacation, sick leave or leave of absence and excludes employee lunch hours) by the City of Seaford in exchange for services as a member of the City of Seaford.
- B. Employees should be aware that information posted on social networking sites is not secure or private. Firewalls and privacy claims by service providers cannot be trusted to safeguard information once it is posted on the internet. Information posted on the internet is considered to be accessible indefinitely. Posting of photographs or personal information may result in unintended consequences, such as manipulation by defense counsel to undermine an employee's credibility or integrity. Information being viewed may be altered, printed and redistributed by other internet users including criminal organizations; jeopardizing the

- confidentiality and safety of themselves, family members, friends and other City of Seaford Employees.
- C. Employees are free to express themselves as private citizens on social media sites to the degree that their actions do not violate confidentiality agreements, reflect negatively on the City of Seaford, impair discipline or negatively affect the public perception of the City.
 - D. For safety and security reasons, City employees are cautioned not to disclose their employment with the City nor shall they post information pertaining to any other member of the City without their permission.
 - E. Employees shall not publish or direct others to publish; content that would adversely affect the public's respect and/or confidence in the City of Seaford, Seaford Police Department or City of Seaford Elected, or Appointed Officials, bringing discredit upon an employee or the Department.
 - F. When using social media, employees should be mindful that their speech and actions become part of the worldwide electronic domain. Therefore, adherence to the City's code of conduct is required in the personal use of social media.
 - G. Employees shall not publish any information that would bring embarrassment, disgrace or doubt as to their credibility as civilian employee.
 - H. Employees shall not publish any information they have learned as a result of their duties as an employee of the City of Seaford, which would not otherwise be made public through traditional media outlets.
 - 1.
 - I. Any employee having knowledge of another employee's posting, website, social media or web page in violation of this policy shall notify their supervisor immediately.
 - J. The use of City computers by employees to access social media is strictly prohibited without prior authorization by the City Manager or Assistant City Manager.
 - K. No employee shall post information which is derogatory to any group, or individual based on race, sex, sexual orientation, religion, political view.
 - L. City employees are prohibited from posting obscene or sexually explicit language, images or acts, statements or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, sex, sexual orientation, religion, political view or individual.
 - M. No employee shall post on any Social Networking Site maintained by, frequented by or intended for the use of:
 - 1. Any organization which in any way calls for threats and/or violence against an individual or group due to their sex, sexual orientation, race, religion, age or political view.
 - 2. Any organization which in anyway suggests hate speech, racial slurs, ethnic slurs, or slurs against any person or group of persons due to their sex, sexual orientation, race, religion, age or political view.

- N. As public employees, City personnel are cautioned that speech on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee’s professional duties and responsibilities – **is not protected speech** under the First Amendment and may form a basis for discipline if deemed detrimental to the department. City personnel should assume that their speech and related activity on social media sites will reflect upon their employment and the City.
- O. If at any time you are uncertain about the application of this policy or if a question relating to the appropriate use of social media arises you should seek the guidance of the appropriate individual before posting or otherwise engaging online.

DRAFT

N.B. 4
12-8-15

CGI Communication Banner Program Benefits:

- Enhance Ordinary Street Poles with Beautiful Artwork
- Brighten and Invigorate Downtown Area
- Make a visual impact, creating a buzz around Downtown and in business districts
- Reinforce City Brand
- Promote Community Assets and Local Events
- Reach Thousands of Citizens Daily
- Drive Traffic to Community Website
- CGI Installs and Maintains All Banners

BANNER EXAMPLES



Streetscape Banner Program Agreement

CGI Communications, Inc.
130 East Main Street, 8th Floor
Rochester, NY 14604
(800) 398-3029 phone
(877) 429-8611 fax

Name: Trisha Newcomer

Title: EDD

Address: 414 High Street

City, State, Zip: Seaford, DE, 19973

Phone: 302-629-9173

Website: www.seafordde.com

Email: tnewcomer@seafordde.com

This agreement is between CGI Communications, Inc. and the City of Seaford, and shall remain in effect from the date it is signed by both parties until the completion of the three years of banner display in the City of Seaford, as described herein. The term of this agreement shall automatically renew unless either party gives 60 days written notice of termination or modification prior to expiration.

Community Showcase Banners shall provide the following:

- Full-color, custom graphic vinyl banners
- A minimum of 35 banners with business sponsors allowed on the bottom 30% and brackets/hardware
- The City has 5 banners to custom design a logo located on the bottom portion of the banner
- Design and size customized to meet your Community's specifications (standard size 30" x 72")
- Business sponsors name and/or logo displayed on lower 30% of each banner and all banners will also include the City's web site address www.seafordde.com
- Quantity of banners determined by number of sponsor participants
- Duration of sponsor participation will be three years and CGI Communications, Inc. is solely responsible for sponsorship fulfillment including all related aspects of marketing, production, and printing.
- The City of Seaford will assume no cost or liability for the sales and production of the banners for this project
- CGI will supply all necessary installation and maintenance

The City of Seaford shall provide the following:

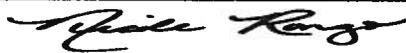
- A letter of introduction for the program on your organization's letterhead
- Agrees to give CGI Communications, Inc. the right to use organization's name in connection with the preparation, production, and marketing of the program set forth herein only
- Identification of, and access to the preferred pole sites for proper banner placement

We, the undersigned, understand the above information and have full authority to sign this agreement.

City of Seaford, DE

CGI Communications, Inc.

Signature:

 Signature:

Name Printed:

Name Printed: Nicole Rongo

Title:

Title: Vice President

Date:

Date: November 19, 2015

12-8-15
O.B. 1

ORDINANCE #2015-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 2, Article 4, of the Municipal Code of Seaford, Delaware relating to "Administration", in the manner following, to wit:

Chapter 2, Article 4 of the Municipal Code of Seaford, Delaware is hereby amended by striking out all of said Chapter 2, Article 4 and substituting in lieu thereof a new Chapter 2, Article 4 to read as shown on the following pages.

11/24/2015	First Reading Date
12/08/2015	Second Reading Date & Adoption
12/17/2015	Advertisement Date
01/17/2016	Effective Date of Ordinance

CITY OF SEAFORD

By: _____
Mayor

Witness: _____

Attest: _____
City Manager

CHAPTER 2 - ADMINISTRATION

ARTICLE 4 - EMPLOYEE RESIDENCY REQUIREMENT.

[Amended on 12/08/2015 by Ordinance #2015-02]

§ 2.4.1 Purpose; Covered Employees.

In that the job duties and responsibilities of certain City employees require their knowledge of matters of community interest and their immediate availability to perform their duties in special, unique and emergency situations, the following listed employees, as a condition of employment, shall be required to reside within a thirty (30) mile radius of Seaford City Hall.

City Manager
Assistant City Manager
Chief of Police
Director of Finance and Human Resources
Director of Public Works

Building Official
Economic Development / Information Technology Manager
Electric Engineer
Real Estate Property Tax / Payroll Manager
Superintendent of Electric
Superintendent of Parks & Recreation

Operations Coordinator for Electric
Technical Coordinator for Electric
Operations Coordinator for Public Works
Operations Coordinator for Wastewater Treatment Facilities

All Public Works Department Employees
All Wastewater Treatment Facility Employees
All Electric Department Employees, except administrative staff

This list is not all inclusive and may be amended by Mayor and City Council.

§ 2.4.2 Failure to Comply.

Failure of said employees to maintain residency as stated herein shall be cause for removal or discharge from City employment.

§ 2.4.3 Temporary Waiver.

The City Council by majority vote of its full membership may waive the requirements of this Section for a period of time not to exceed six (6) months upon the request of a covered employee and upon a showing by said employee of special circumstances resulting in temporary inability of said employee to reside within a thirty (30) mile radius of Seaford City Hall.

§ 2.4.4 through § 2.4.99 RESERVED