

REVISED 7-24-15

**AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
July 28, 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.
 - Executive Session - Personnel
 - Changes to agenda for this meeting.
 - Approval of minutes of the Regular Council meeting of July 14, 2015.

7:05 PUBLIC HEARING:

1. Ross Point Freedom Church, property owners of Tax Map and Parcel 531-10.00-217.02, located on Tull Drive, is seeking a preliminary site plan review/approval for the construction of a 9,950 sq. ft. building with site improvements.
2. **Case #R-10-15:** E. Gray Investments, LLC, property owner of 305 E. Stein Hwy, Tax Map and Parcel 431-1.00-8.00, is seeking to rezone the property from C-1 General Commercial to the original zoning of R-2 Medium Density Residential.
3. Tana Properties, LLC, property owners of 628 N. Phillips Street, Tax Map and Parcel 531-13.05 178 and adjacent lot identified as Tax Map and Parcel 531-13.05 177, are seeking a sketch plan review/ approval, on behalf of The Light of the World Church, for renovations of an existing structure and site improvements, including parking lot and storm water management.

CORRESPONDENCE:

- 1.

NEW BUSINESS:

1. Present resolution proposing the issuance of up to \$1,658,300 in general obligation bonds through the State Revolving fund for the renewable energy generating system (solar array for WWTF) and setting the public hearing for August 25, 2015 at 7:05 p.m. in Council Chambers.

OLD BUSINESS:

- 1.

PUBLIC COMMENT PERIOD:

AGENDA

Regular Meeting of the Mayor and Council

July 28, 2015

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. Employee picnic, 6 p.m. - 9 p.m. and golf outing at 2 p.m., July 29th at Hooper's Landing.
2. Movie night, August 1st at dusk, Ross Mansion - "Mr. Peabody & Sherman".

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

EXECUTIVE SESSION:

1. Personnel

Mayor Genshaw solicits a motion to hold an Executive Session for the purpose of discussing personnel.

Mayor Genshaw reopens the Regular Meeting and 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))

Higdon
7/28/15
N.B.1

RESOLUTION

RESOLUTION PROPOSING THE ISSUANCE OF UP TO \$1,658,300 MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF A GENERAL OBLIGATION BOND IN ORDER TO FINANCE THE INSTALLATION AND OPERATION OF A RENEWABLE ENERGY GENERATING SYSTEM BY THE CITY OF SEAFORD AND ESTABLISHING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City of Seaford (the "City") pursuant to Section 35 of 53 Del. Laws Ch. 42, as amended (the "Charter") proposes to issue up to \$1,658,300 maximum aggregate principal amount of the City's general obligation bond (the "Bond") in order to: (i) finance the installation and operation of a renewable energy generating system (a ground mounted solar array) that will offset a portion (approximately 54%) of the energy consumption at the City's Waste Water Treatment Plant; and (ii) pay the costs of issuance of the Bond (collectively, the "Project");

WHEREAS, the City has applied for a loan through the Delaware Department of Natural Resources and Environmental Control in order to provide funds to pay for the Project;

WHEREAS, the Delaware Department of Natural Resources and Environmental Control (the "Department") has issued a binding commitment offer, dated February 26, 2015, to lend the City, from the Delaware Water Pollution Control Revolving Fund (the "Fund"), \$1,658,300 in the aggregate principal amount for the Project at an annual interest rate of 2.0%; and

WHEREAS, to authorize the borrowing of up to \$1,658,300 through the issuance of the Bond for the Project and in order to comply with the requirements of Section 35 of the Charter, the City Council, through its adoption of this Resolution, hereby gives notice to the electors of the City that the City Council proposes to borrow an amount of money, not to exceed \$1,658,300 principal amount, to fund the Project, which is a permitted purpose under Section 35 of the Charter, and hereby establishes that a public hearing on the matter be fixed on August 25, 2015, at 7:05 p.m., prevailing time, in the Council Chambers at the Seaford City Hall located at 414 High Street, Seaford, Delaware 19973.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seaford as follows:

1. The City Council of the City of Seaford hereby gives notice to the electors of the City that the City proposes to borrow an amount of money, not to exceed \$1,658,300 aggregate principal amount, to fund the Project.

2. Pursuant to Section 35(A) of the Charter:

Amount of Borrowing: Total aggregate principal amount not to exceed \$1,658,300.

Purpose for Borrowing: The City Council hereby finds that the Project constitutes the following, which are permitted purposes for which money may be borrowed under Section 35 of the Charter:

Financing the installation and operation of a renewable energy generating system (a ground mounted solar array) that will offset a portion (approximately 54%) of the energy consumption at the City's Waste Water Treatment Plant.

Manner of Securing the Same: the City will borrow the funds through the issuance of a general obligation bond of the City to finance the Project and the full faith, credit and taxing power of the City will be pledged to pay the principal of and interest on the Bond.

Other Facts Deemed Pertinent by the City Council and in its Possession at the Time of This Resolution: The City anticipates that the Department will lend the City the aggregate principal amount of up to \$1,658,300 for a period of twenty (20) years at an interest rate of 2%. This loan will enable the City to fund the costs associated with the Project.

Upon completion of the Project, \$500,000 of the outstanding loan principal amount shall be forgiven.

3. The City Council hereby establishes that a **public hearing** on this Resolution and the proposed borrowing described herein shall be held on **August 25, 2015, at 7:05 p.m., prevailing time, in the Council Chambers at the Seaford City Hall located at 414 High Street, Seaford, Delaware 19973**, and hereby directs that notice of such hearing be published and/or posted as required by Section 35(B) of the Charter, by:

- (i) publication in one (1) newspaper published in the City of Seaford at least one week before the time set for the public hearing; and/or
- (ii) distributed in circular form at least one week before the time set for the public hearing.

4. The City Council hereby directs that this matter be placed on the agenda for the **regular meeting of the City Council on August 25, 2015** at the Seaford City Hall to determine whether to proceed with the proposed borrowing described herein.

ADOPTED AND RESOLVED this 28th day of July, 2015.

By: _____
Name: David Genshaw
Title: Mayor

(CITY SEAL)

Attest: _____
Name: Dolores J. Slatcher
Title: Secretary of Council and City Manager

CERTIFICATE OF SECRETARY OF COUNCIL

The undersigned, Secretary of Council of the City Council of the City of Seaford, HEREBY CERTIFIES that:

The foregoing Resolution proposing borrowing a sum of money and authorizing a public hearing on such borrowing of the City was duly moved and seconded and adopted by a majority vote of the City Council of said City at a duly called and convened public meeting of said Council held on July 28, 2015; and that the roll of the City Council was called and such members voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
David Genshaw, Mayor	(if tie)
Leanne Phillips-Lowe	
Grace S. Peterson	
Dan H. Henderson	
H. William Mulvaney III	
Orlando Holland	

and that such Resolution and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the City this 28th day of July, 2015.

(CITY SEAL)

Dolores J. Slatcher
Secretary of Council