

**REVISED 10/21/16**

**AGENDA  
REGULAR MEETING OF THE MAYOR AND COUNCIL  
October 25, 2016  
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 meeting on October 11, 2016.

**CORRESPONDENCE:**

1.

**NEW BUSINESS:**

1. Resolution setting the date, time, and place for the Public Hearing of Cerwin Holdings, Inc and Bierman Family, LLC for the annexation of lands located at 1602 Sussex Highway, TMP# 331-5.00-101.00 request. **Roll Call Vote**

**REMINDER OF MEETINGS & SETTING NEW MEETINGS:**

1. Downtown Seaford Association Halloween Parade on October 26<sup>th</sup> with line up at Cedar Avenue to SVFD starting at 6:15 p.m. with step off at 7 p.m. If rain activities will be at SVFD at 7 p.m.
2. Sussex County Today and Tomorrow Conference; Wednesday October 26<sup>th</sup>, 2016, Delaware Technical and Community College at 7:15 a.m.
3. Seaford Trick or Treat for Halloween, Monday, October 31<sup>st</sup> from 6 p.m. - 8 p.m. Children 12 and under only.
4. Rental License Workshop Tuesday, November 1<sup>st</sup> at 7 p.m. in Council Chambers at City Hall. **CANCELED**

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5. **NOVEMBER 7<sup>TH</sup> - MONDAY EVENING, 7 p.m., Regular Council Meeting instead of on Tuesday, November 8<sup>th</sup> due to the Election Board's use of Council Chambers for the November General Election.**
6. General election day, City Hall, November 8<sup>th</sup>, 2016; Council Chambers will be a polling place.
7. Sussex County Returns Day November 10<sup>th</sup>, 2016; Georgetown, Delaware.

**LEAF MACHINE WILL BE IN OPERATION STARTING OCTOBER 1<sup>ST</sup> THROUGH DECEMBER 31<sup>ST</sup>. In rain events help us to help you by clearing a catch basin or calling Public Works to have the catch basin cleaned at 302-629-8307 or after hours 302-629-4550.**

**COMMITTEE REPORTS:**

1. **Police & Fire - Councilwoman Leanne Phillips-Lowe**
2. **Administration - Councilman Orlando Holland**
3. **Code, Parks and Recreation - Councilwoman Grace Peterson**
4. **Public Works & WWTF - Councilman William Mulvaney**
5. **Electric - Councilman Dan Henderson**

**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))**

**RESOLUTION PROPOSING TO THE PROPERTY OWNERS AND RESIDENTS OF THE CITY OF SEAFORD AND TO THE PROPERTY OWNERS AND RESIDENTS OF THE TERRITORIES CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF SEAFORD, THAT THE CITY OF SEAFORD ANNEX The BIERMAN FAMILY, LLC PROPERTY AND PETITIONER CERWIN HOLDINGS, INC. LOCATED AT 1602 SUSSEX HIGHWAY AND FIXING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.**

Whereas, pursuant to a Resolution adopted by the City Council of the City of Seaford, a Committee appointed by the Mayor recommend in its report that certain territories contiguous to the present corporate limits of the City of Seaford be annexed to the City of Seaford.

Now, Therefore, Be It Resolved, that the City Council of the City of Seaford, proposes to the property owners and residents of the City of Seaford and to the property owners and residents of certain territories located contiguous to the present limits of the City of Seaford that certain territories located contiguous to the present corporate limits of the City of Seaford be annexed to the City of Seaford, said territories being proposed for annexation being more particularly described in *Exhibit "A"* attached hereto and incorporated herein.

And Be It Further Resolved, that a public hearing shall be held on the merits of annexing the territories herein before described in this Resolution at which time any property owner or resident of the City of Seaford and any property owner or resident of the territories herein before described shall have an opportunity to be heard and said public hearing shall be held on November 22, 2016 at 7:05 o'clock P.M. in the Council Chambers of the City Council at the City Hall, 414 High Street, Seaford, Sussex County, Delaware.

And Be It Further Resolved, that the City Manager of the City of Seaford, be and is hereby authorized and directed to cause a Notice which shall consist of a true copy of this Resolution to be printed in a newspaper published in the City of Seaford, in its November 10, 2016 edition, said publication being at least one week prior to the time specified in this Resolution for the said public hearing.

I, **Charles D. Anderson**, Assistant City Manager of the City of Seaford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the City Council of the City of Seaford at its meeting on October 25, 2016, at which a quorum was present and voting throughout and that the same is still in full force and effect.

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Charles D. Anderson  
Assistant City Manager  
City of Seaford, Delaware

DATED:

Exhibit A -

**LEGAL DESCRIPTION  
of the lands of  
BIERMAN FAMILY, LLC**

September 27, 2016

**ALL that certain tract, piece or parcel of land situate, lying and being situate in the Seaford Hundred of Sussex County, Delaware, being located on the northwesterly side of Sussex County Road 535, also known as Middleford Road, and the westerly side of U.S. Route 13, also known as Sussex Highway, as shown on The State of Delaware Department of Transportation (DelDOT) Right-of-Way Plan for US 13 Seaford Intersection Improvement Project, Contract Number T200412401 and being more particularly described as follows, to wit:**

**BEGINNING at an iron rod and cap set at the intersection of the northwesterly right-of-way line of the aforesaid Middleford Road, and the easterly line of the lands, now or formerly, of Bierman Family, LLC as recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Book 2969, Page 102; said Point of Beginning being further referenced as Point #50087 on the aforesaid DelDOT Right-of-Way Plan, thence running in the Datum of the aforesaid DelDOT Right-of-Way Plan (NAD 1983),**

- 1) by and with said lands of Bierman Family, LLC, North 03 degrees 05 minutes 06 seconds West 346.22 feet to an iron pipe found on the southeasterly bank of Williams Pond, thence,**
- 2) leaving said lands of Bierman Family, LLC and running by and with said southeasterly bank of Williams Pond, North 33 degrees 27 minutes 29 seconds East 13.02 feet to an iron pipe found on the westerly line of other lands, now or formerly, of Bierman Family, LLC, as recorded in the aforesaid Office of the Recorder of Deeds in Deed Book 2969, Page 102, thence,**
- 3) leaving said Williams Pond and running by and with said lands of Bierman Family, LLC, North 86 degrees 39 minutes 38 seconds East 142.22 feet to an iron pipe found on the westerly right-of-way line of the aforementioned Sussex Highway, thence,**
- 4) leaving said lands of Bierman Family, LLC and running by and with said Sussex Highway for the following two courses: South 03 degrees 21 minutes 21 seconds East 162.87 feet to an iron rod and cap set, thence running,**
- 5) South 31 degrees 01 minutes 00 seconds West 191.76 feet to an iron rod and cap set on the northwesterly right-of-way line of the aforementioned Middleford Road, thence,**
- 6) leaving said Sussex Highway and running by and with said Middleford Road, South 47 degrees 23 minutes 36 seconds West 56.03 feet to the point and place of beginning.**

**CONTAINING an area of 40,567 square feet, more or less. BEING all of that parcel of land designated as "331-5.00-101.00" on a Boundary Survey Plan prepared by Solutions IPEM, LLC, dated September 23, 2016 and intended to be recorded herewith.**