

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

December 8, 2015

7:00 PM

Mayor David Genshaw called the Regular Meeting to order with the following present: Councilwoman Grace S. Peterson, Councilwoman Leanne Phillips-Lowe, Councilman Dan H Henderson, Councilman Orlando Holland and Councilman H. William Mulvaney III. Dolores J. Slatcher, City Manager, Trisha Newcomer, ED/IT Manager, June Merritt, Director of Finance/HR, Bill Bennett, Supt. of Electric and Charles Anderson, Assistant City Manager were also present.

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

Mayor Genshaw solicited changes to the agenda. City Manager Slatcher stated that New Business # 3 needs to be deleted from the agenda tonight due to the fact that the City Solicitor has not completed the review of the policy. Councilwoman Phillips-Lowe made a motion to accept the change to the agenda as presented. Councilwoman Peterson 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 Council Meeting of November 24, 2015. Councilwoman Peterson made a motion to approve the minutes of the Regular Council Meeting of November 24, 2015. Councilman Holland seconded the motion, and the motion so passed with all present voting in favor.

CORRESPONDENCE

There was none.

Mayor Genshaw presented 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. City Manager Slatcher stated that as in past years, the department of elections has used City Hall as a polling place. When the date falls on the same day as a Council meeting, the election staff is usually moved out into the hallway, however, in 2016 it is a Presidential election as well as State of Delaware candidate election which usually brings out more people. If they were moved out into the hallway it would be a tight area to accommodate the number of people that come to vote. Therefore, it is being recommended to move the City Council meeting to the Monday before to avoid the conflict. She added that she would like to get this approved so that the proper advertisement can be done.

Mayor Genshaw asked for any questions. Without any questions, he called for a motion. Councilwoman Peterson made a motion to approve the change of the regular Council Meeting from Tuesday, November 8, 2016 to Monday, November 7, 2016 to avoid the conflict with the Department of Elections Sussex County Office's use of the Council Chambers for the 2016 General Elections as this is for all Federal and State of DE candidates. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business # 2, Discuss the sale of City owned land SCTP No. 4-31-5.00-20.00 – adjacent to Royal Farms. City Manager Slatcher stated that this is what has been referenced to as TMP 4-31-5.00-208.00 and it was also in the purchase of sale agreement with the Seaford Development Association for the lands of 41,008 square feet combined parcel. The Council was aware that there was an interested party, Mr. Bill Krieg who owns the lands adjacent identified as TMP 4-31-5.00-218.00. There have been discussions with Mr. Krieg and Mr. Pearlmuter and the request tonight is to subdivide these lands to create a single lot of 4,500 square feet which meets the C-3 zoning. If this is done, it will be a buildable lot since it is the minimum lot size in C-3. City Manager Slatcher explained that what would be done then would be to divide the original lot size, divide the square footage into that, take the 4,500 square feet multiplied by that number and what that equaled was \$5,490 to sell the lot to Mr. Krieg and then sell the remaining land to Seaford Development Association for \$50,000. In addition, Mr. Krieg would pay for the survey since two surveys would now need to be done. The City would bear the cost for the legal preparation and deeds for both properties.

Mayor Genshaw asked for any questions. Councilman Henderson stated that he did not have any questions, but he would like to thank everyone for the compromise to make it work for everyone. Councilman Mulvaney made a motion to approve the 4,500 square foot lot in a C-3 zone at a price of \$5,490 and in addition the purchaser will pay for the survey and the City would obtain the survey for the residual lands and the City would bear the cost for the legal fees associated. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business #3, deleted per the change approved.

Mayor Genshaw presented New Business #4, Present information on CGI Communication Banner Program Benefits and Streetscape Banner Program agreement for approval. Mrs. Trisha Newcomer, ED/IT Manager came forward to discuss the program. She stated that the City has had a partnership with CGI for the past 9 years doing the videos that are on our website. They have now approached the City with a new opportunity with banners. We would determine the location of the banners potentially out on Route 13 or in some other strategic areas. It would allow us to put our website address on there and would also allow businesses to sponsor a particular banner. CGI handles the entire thing, creation of the banners, maintenance contract between them and the sponsoring business, putting the banners up and down, etc. There is no cost to the City and no leg work other than the creative side to the City. Mrs. Newcomer stated that it is a great opportunity for the City and also allow for some of our businesses to get their names out there as well. The minimum amount of banners is 35 to start with. They would be placed on the street light poles when they are put up. It was asked if 35 was the number of poles that we have available or if that was just the extent of their deal. Trisha stated that was just the extent of their deal, however, if there are more sponsorships than 35 then more banners could be put up.

Mayor Genshaw asked for any additional questions. With no other questions, he asked for a motion. Councilman Henderson made a motion to approve the Streetscape Banner Program Agreement as presented. Councilman Holland second the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented 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. City Manager Slatcher stated that as previously discussed, it would change the residency requirements for all City employees to live within 30 miles from City Hall within 90 days of employment.

Mayor Genshaw asked for questions, without any questions he called for a motion. Councilman Holland made a motion to approve the adoption of Chapter 2, Article 4 of the Municipal Code of Seaford, Delaware as amended relating to "Administration" expanding the residency requirement for such stated employees to reside within a thirty (30) mile radius of Seaford City Hall. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented Old Business #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. Mayor Genshaw asked for any comments or suggestions. Councilman Mulvaney stated that he reviewed the guidelines that were established and he has two issues. The part that comments are not debatable and shall be addressed to the Council as a whole and not an individual thereof, he feels that is being abused. He feels that comments that are being made are completely incorrect. He also feels that there should be a way that the Mayor or someone on Council should be able to respond. He would like to get rid of it period. Councilwoman Peterson stated that the way that we were doing it for the past 20 years was not broken. She has spoken to some individuals that feel that this was started and to take it away that would be negative. She would like to see it happen only at the first meeting of the month. Councilwoman Phillips-Lowe stated that when the guidelines were approved it was supposed to be to address City operations not individual matters. She feels that it should be amended that there are no names or titles used and it should be restricted to be an operational issue not how people are doing things. She added that she can go along with Councilwoman Peterson to having it one time a month at the first meeting of the month. She also stated that the guidelines need to be adhered to that were established. Councilman Holland stated that he would like to see public comment at the beginning of the agenda before New Business. Councilman Henderson stated that he has no opinion on where it is placed on the agenda. He feels that it should not be limited to just one meeting because that is too long of a time period for the community to get comments in and for Council to take advisement. It could be up to a month time for an issue to get spoken about. Councilman Henderson personally does not feel that there should be any other constraints than what are already written. Councilwoman Peterson stated that any person can come to a Council person with an issue or problem that they have or the City Manager. She stated that it is still the same way, it is open for anybody to come without having to wait to come to a Council Meeting. Councilman Henderson stated that was true and people do come to him. Councilwoman Peterson added that some people that she knows do not wish to come to a public council meeting with their issue or concern publicly. Councilman Henderson said that if someone has a community wide concern they should be able to air it out without having to address the Council one person at a time. They should be able to come speak to the Council as a body and it should be done frequently and not limit it. Councilwoman Peterson said that in her past experience and what she has heard since May she feels that once a month is enough. Mayor Genshaw stated that he feels that Council has done a great job having very open and some good conversations at the table. He also feels

that a good job has been done with the website making it more informative, blasting emails all at one time and posting information online. He feels that the City has improved over the last 12 months and he is proud of the things that have been done. He added that he struggles limiting people's time to speak publicly but that is a Council decision.

Mayor Genshaw then asked for a motion. Councilman Henderson made a motion to change the order of the agenda after Correspondence and leave as is sticking to original guidelines. Councilman Holland seconded the motion. Mayor Genshaw called for a vote. Councilman Henderson and Holland voted for and Councilwoman Phillips-Lowe, Peterson and Councilman Mulvaney voted against. Mayor Genshaw then called for another motion. Councilwoman Phillips-Lowe made a motion to amend the guidelines for the public comment period to reflect to hold once per month; the first meeting of the month. She added that there will be no titles or names given during the public comment period; it will address operational issues only not how employees deal with issues and the placement will be before New Business. Councilwoman Peterson seconded the motion. Mayor Genshaw then called for a vote. Councilman Henderson asked how the wording was different from Councilman Mulvaney's guidelines. The guidelines were brought up on the screen and read. Councilwoman Phillips-Lowe stated that it was said no name or titles are to be used and they are continually being used. The existing guidelines states that comments may be on or pertaining to an issue to the City of Seaford that a person feels may be a concern to the residents of Seaford. Comments are not debatable and shall be addressed to the Council as a whole not any individual thereof and may be limited to 3 minutes in duration. Also, written comments can be given for Council to review. Mayor Genshaw stated that the guidelines are about the same, however, Councilwoman Phillips-Lowe has given more detailed information than what was advertised.

PUBLIC COMMENTS

Mr. Dan Cannon came forward from 411 Nylon Blvd. He stated that as of 11/30/15 everyone had access to the full FY15 City of Seaford Audit report. However, without being able to review it before your 11/24 meeting, the opportunity to ask your CPA questions was essentially wasted. Frankly, I am appalled by the sequence of events related to the Audit report. So little time and attention were devoted to the Audit on 11/24 after so much time, effort and expense to prepare it. Not having the Audit report well ahead of time for careful examination by our elected officials was and is inexcusable. Someone should be held accountable.

As a good friend suggested, Mayor and City Council should remedy this problem by holding a public hearing addressing only the FY15 Audit. Your CPA should again be present (at no additional cost to Seaford taxpayers) to answer questions from our elected officials, the public and media.

While the FY15 Audit mainly reflects the nuts and bolts of a past budget, a public hearing of the FY15 Audit would help provide understanding and insight that will be so crucial to changing spending priorities in the upcoming FY17 budget.

Adopt 2-step Expenditure Approval Process. Over the past year or so you have certainly noticed that I have taken issues with significant purchase/expenses that just seem to pop up with little/no

information (including details of the “vetting”) for taxpayers. Current “vetting” is essentially like a “black box” with few, if any, details available for public review at any time – much less before votes are taken to approve/disapprove purchases. Without public knowledge/awareness of anticipated cost(s), funding source(s), justification of specifications, priority need ranking, alternatives considered, etc. for purchases, the current vetting process is insufficiently transparent to protect the interests of taxpayers and citizens.

While I do not doubt Mayor and City Council’s sincere desire to be “conservative” regarding City expenditures, I do not see evidence that current City Management – the “experts” in the vetting process – are on board with a conservative spending philosophy.

A 2-step approval process for significant (\$50,000 +) purchases with opportunity for public questions and answers is needed to help shine the light of day on the details of the vetting. Let’s use a First Reading to get out the information; then advertise the details of a possible purchase; and finally during a Second Reading (at a subsequent meeting) consider acting on the in-public “vetted” purchase. This would help protect the interests of taxpayers and citizens.

Again, I would strongly encourage our City to use such a transparent process for all purchases of \$50,000+.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- Western Chamber Holiday Social, Johnny Janosik, Laurel, Wednesday, December 9th 5:30 p.m. to 8 p.m.
- Police Department Christmas Breakfast, Pizza King, Thursday, December 10th at 8 a.m.
- Employee Christmas Party, SVFD Banquet Hall, Saturday, December 12th from 5:30 p.m. – 10 p.m.
- Elected Officials & Staff Breakfast, Pizza King, Wednesday, December 16th at 7:30 a.m.
- Social at John Hollis, Thursday, December 17th at 4 p.m.
- Downtown Seaford Association dinner at the French Quarter, Monday, December 21st at 6:30 p.m.
- There is no regular Council meeting on December 23rd
- 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

Councilwoman Phillips- Lowe reported that during the month of November all officers in the department completed their first aid recertification. There were officers that also received training at the Delaware State Police Academy. The department is preparing for the annual awards ceremony and doing target enforcement controls with an increased amount for the holidays. There were also numerous special duty assignments completed

in conjunction with Black Friday. Preparations are also continuing for police officer testing set for January 9, 2016.

Councilman Mulvaney reported that City Manager Dolores Slatcher was out with the line crew during the Mc Donald's primary underground failure; the primary had to be replaced which took 16 hours to complete the replacement. Electric Superintendent Bill Bennett was out of state on vacation during the event. She participated in the Board of Adjustments for a home daycare at Mearsfield contingent on the association's approval; she also participated in a Zoning Ordinance review. DNREC Deputy Secretary Kara Coates and her team visited Seaford to discuss how DNREC can facilitate improvements in the Downtown Development District particularly for any Brownfield sites with potential resources for developers to pursue. The meeting included City Manager Slatcher, ACM Anderson, Mayor Genshaw, Director of Public Works Mears, Building Official Littleton and ED Manager Newcomer. Assistant City Manager Charles Anderson, besides participation in the DNREC Meeting, assisted in the first part-time recreation employee interviews, attended Danny Shorts monthly coffee meeting and the organizational meeting of the Metropolitan Planning Organization in the Salisbury Metropolitan area and Seaford is the only Delaware Municipality with a seat on the board. Finance Director June Merritt reports the FOP negotiation continue; she assisted with the finance/billing software upgrade to version 4.0 including assistance with the training of staff on the changes with the various modules. Time was also spent on the review of job descriptions for the compensation study and processing account reconciliations. Customer services, purchasing, billing, financial management and payroll and benefits are all reported as routine. She added that disconnects were done today.

Councilman Holland reported that Natalie Wilson, Supt. of Parks and Recreation helped and set up the 1st Saturday event that was held this past weekend. She also attended a tourism committee meeting. They have finalized youth basketball sign ups, recruited coaches and have begun to schedule practices. The Parks Department helped setting up for Caroling in the Park and 1st Saturday. They also finished all irrigation system blowouts and added a waterline to the youth football shed with hopes to sell hot concessions next year. Natalie's last day with the City is this Friday, December 11th. She once again wants to express her gratitude for the support and guidance she has received from Mayor, Council and City Staff while she has been with the City. She looks forward to seeing all the City will accomplish in the coming years.

Councilman Henderson reported that Trisha Newcomer, ED/IT Manager attended several meetings including Representative Short's monthly coffee meeting, and a Greater Seaford Chamber of Commerce Tourism Committee meeting. She attended a Downtown Delaware leadership training event. As quoted from their website, "Downtown Delaware is a resource center within the Delaware Economic Development Office (DEDO) that works with communities statewide to address revitalization issues. Particular emphasis is placed on business development, vacancy reduction, and proactive planning for selection and placement of retail goods and services in commercial business districts within Delaware." Trisha along with others, met with DNREC Deputy Secretary Kara Coats which together

they explored opportunities and partnerships that could augment the Downtown Development District initiative. She assisted with the very well attended annual Caroling in the Park event that was held on Friday, December 4th. Trisha also attended a ribbon cutting for the Sugar Beet Market at Heritage Shores in Bridgeville. Trisha made a presentation to the Delaware Grant Maker's Association regarding Seaford's designation as a Downtown Development District. For information technology, Trisha worked on the social media policy for the City of Seaford.

In Public Works, Supt. Berley Mears reported that the Harrington Street water main replacement and repair project is proceeding with 3 of the 7 water services connected. Temporary paving measures are being taken to patch the street over the winter. Upon capping the old main the leaking will be stopped which will make the pavement more manageable. Department personnel performed some routine equipment maintenance. They performed other routine tasks such as leaf and limb pickup, street sweeping, state sampling, and meter readings. The leaf vacuums were delayed due to recent inclement weather, but they have since been redeployed. Public Works personnel assisted the Electric Department during emergency repairs at McDonald's Restaurant. The department placed traffic barricades for the Christmas Parade on December 5th. They also continue to adapt to having less available labor than in previous periods. Berley also attended many routine meetings.

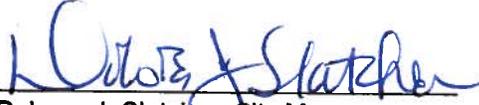
At the WWTF, total system performance is reported as good. The leachate treatment program is going well. Compost sales have slowed, but the screening of material is ongoing. Equalization Pump (EQ) is still out for repair, and they are experiencing some blower maintenance issues. Reports are that WWTF personnel have recently achieved increased efficiency of the plant by optimizing the use of a chemical used late in the process just before discharge into the Nanticoke River. The reduction of the use of bisulfite will result in a small but welcome cost savings.

In the Code Department, Josh Littleton, Building Official reports that permit and violation inspections were routine. The department continues work on the City's Standard Design Specifications. Josh was also present for the meeting with DNREC Deputy Secretary Kara Coats. He had several other meetings during the period including a meeting with staff members to review Zoning Ordinance re-codification, City Council meeting, Board of Adjustment meeting and a meeting with a commercial property owner. The department has ongoing plan reviews for several projects, and continues to monitor projects underway.

Councilwoman Peterson reported that the Electric Department recently read meters and hooked up the Christmas lights and the timers. They also had an outage at McDonald's due to bad underground wire and worked overnight to correct the problem. The department helped the Parks Department set up the tent for 1st Saturday. They also did a shut down for the Manor House at 9 pm at their request for in-house maintenance.

Mayor Genshaw thanked all of the employees of the City of Seaford and wished everyone a Merry Christmas.

With no further comments, Mayor Genshaw called for a motion to close the Regular Meeting of Mayor and Council. Councilwoman Phillips-Lowe made the motion to close the Regular Meeting of Mayor and Council. Councilman Holland seconded the motion, and the motion so passed with all present voting in favor. The Regular Council Meeting was closed at 7:46 p.m.


Dolores J. Slatcher, City Manager

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