

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

March 22, 2016

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 William Mulvaney, Councilman Dan Henderson and Councilman Orlando Holland. City Manager Dolores Slatcher, Assistant City Manager Charles Anderson, Trisha Newcomer, IT and Economic Development Manager, Berley Mears, Director of Public Works and Superintendent of Electric Bill Bennett were also present.

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

Mayor Genshaw solicited changes to the agenda. City Manager Slatcher stated that there were no changes.

Mayor Genshaw called for a motion to approve the minutes of the Regular Council Meeting of March 8, 2016. Councilman Holland made a motion to approve the minutes from the March 8, 2016 Council Meeting. Councilman Henderson seconded the motion; motion so passed with all present voting in favor.

CORRESPONDENCE

City Manager Slatcher stated that she received a letter from Mr. Richard Boyd, Sr. Warden at St. Luke's Church. It stated that the church is very pleased with the new handicap spaces on Front and North Street and they thanked the City for their help of getting the new spaces.

NEW BUSINESS

Mayor Genshaw presented New Business # 1, Jeanne Sapp, Billing Representative to present the information on penalty and processing and collection of penalty on customer billings. Mrs. Sapp stated that meter readings are obtained once a month and then billings are calculated from the meter readings and mailed to the customer. The bills are typically due around the 25th of the month with a grace period that exists until the 5th of the following month. If a utility bill is not paid by 5 pm on the 5th of the month, a 1.5% penalty is assessed on the past due outstanding balance. Penalty is considered a "demand" charge, meaning due upon assessment. When payments are received and entered into the Cash Receipt system, the system automatically applies the payment to any penalty first and then principal balance second. It was checked by staff with other utility providers and our software provider and this is the standard practice. If penalty is assessed and paid prior to the next bill being generated, the customer will not see a penalty charge on that next bill. Any balances remaining will be shown as an outstanding or previous service balance.

Mrs. Sapp then showed two examples of utility bills of where the customer did not pay the balance prior to the 5th of the month. She added that to avoid any penalty being assessed, the customer must pay their bill in full anytime from receipt of the bill until 5 p.m. on the 5th of the month.

Mrs. Sapp then stated that the City accepts the following forms of payment: Cash, Check or Money Order, Automated Bank Draft which is processed on the 1st business day of the month. Forms are available at the City Hall office, on-line payments through the City's website using a credit, debit or electronic check. There is a convenience fee that applies and payments that are scheduled by 11:59 p.m. on that day will be processed as of the next business day. On-line payments through the customer's bank. A customer may set up payment through his/her bank's on-line payment system. Even though the customer is not physically writing a check, the bank is writing and mailing a check to the City of Seaford. This form of payment requires additional processing time because it is not automatic or electronic. If the customer schedules the payment as of the 5th of the month, the City may not receive it for several days after that date because of the mail service. Mrs. Sapp also stated that e-bills are available and for more information you can contact the office at 302-629-9173 or by email at jsapp@seafordde.com.

Mayor Genshaw asked for any questions from the Council; there were none.

Mayor Genshaw presented New Business # 2, Present a request from Trinity Logistics to use the right-of-way area for additional parking at their facility located at 50 Fallon Ave. Charles Anderson, Assistant City Manager came forward to present. He introduced Mr. Bill Hurley who was present from Trinity Logistics. Mr. Anderson stated that they are looking to add more parking spaces for their facility due to their growing personnel. With the request that was received from them it was shown that it would create an additional 12 parking spaces without violating any fire lanes. Mr. Anderson added that with the change it is able to fit in the visibility triangle that complies with the code requirements. Trinity Logistics has agreed to do all of the paving and be responsible for it if approved. It was also discussed about installing parking bumpers so that cars do not pull up to far into the roadway.

Mayor Genshaw solicited any question or comments from Council. Councilman Mulvaney asked if there is a separate entrance on that side of the building. Mr. Anderson stated that there was. Councilman Mulvaney asked if these parking spaces will be designated for handicap parking? Mr. Hurley stated that he is not sure who will be utilizing these spots. He added that Trinity is growing and the additional spaces are needed. It was asked if on street parking on Fallon Ave is legal. Mr. Anderson stated that there are no yellow curbs or do no parking signs along Fallon Ave, however, he has never seen anyone park there.

Mayor Genshaw called for a motion. Councilman Holland made a motion to approve the use of the right-of-way area by Trinity Logistics for the purpose of adding parking at their facility located at 50 Fallon Avenue as approved to sustain the intersection visibility triangle. Councilman Mulvaney seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business # 3, Mrs. Judy Schwartz to present information on the final report for Sea Level Rise Vulnerability Study. Mrs. Schwartz stated that the report has been sent to DNREC electronically in accordance with the grant schedule. The report looked at the various published sea level rise issues that DNREC has presented and they were overlaid onto the physical site at the WWTF. All of the levels have been looked at and the impact of the shoreline at the WWTF. Maps have also been prepared that show the sea level rise impact on the flood levels

of the plan. The report also identified the specific buildings, tanks and pieces of equipment that could be impacted by Sea Level Rise in the future. Mrs. Schwartz stated that there are strategies that are discussed that can be implemented to take the risk down of being impacted. These strategies will be implemented when the WWTF plant is upgraded and expanded. It has been looked at to elevate equipment, building curbs or flood walls, raising the walls or tanks, filling certain areas to mitigate the flooding that would occur with Sea Level Rise. These practices would be implemented with the next upgrade which is scheduled in the next 5-7 years. Mrs. Schwartz stated that following tonight's meeting if acceptable to the Mayor and Council she would like to make the official hard copy of the report to DNREC and follow up with the close-out documentation for the grant.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson stated that Mrs. Schwartz recommendation is for the 1.5 ft., 30 year projection which Mrs. Schwartz stated was correct. Mr. Henderson stated that it would be about a 25 year life span for any improvements. He asked if there has been any consideration to do the extra six inches to get another 10 years. Mrs. Schwartz stated that there has been consideration for that and there was only three other pieces of equipment that was involved which were the generator, fuel tank the transformer and they would likely be replaced with the upgrade. With there being not much of a cost difference, going the extra six inches will probably occur.

Mayor Genshaw presented New Business # 4, Mrs. Judy Schwartz to discuss the Wastewater Treatment Facility National Pollutant Discharge Elimination System (NPDES) permit compliance schedule response related to capacity. Mrs. Schwartz stated that the NPDES permit is the legal document that allows the City of Seaford to discharge treated effluent to the Nanticoke River. The permit was renewed back in November which is a five year permit. Due to the emphasis on the Chesapeake Bay and TMDL's there are many studies that are leading to the requirement to upgrade the WWTF to treat for enhanced nutrient removal. The level of technology will need to be upgraded to be able to do a better job of treating for phosphorus and nitrogen. The compliance study states many milestone dates with the first one being the end of this month stating the City must submit a design parameter for expansion of the plant. It is known that the plant must be updated, however, that does not mean that it has to be expanded at the same time. Mrs. Schwartz shared an analysis that was completed to show the flow summary with current flows and projected flows.

WASTEWATER FLOW ANALYSIS SUMMARY		<u>Net Available Capacity</u>
• Current Capacity WWTF	2,000,000 gpd	
• Daily Wastewater Flow (2015)	1,053,000 gpd	947,000 gpd
• Reserve for City Infill	15,000 gpd	
• Reserve for Ross Business Park	100,000 gpd	
• Reserve for Blades SSD	158,900 gpd	
• Reserve for Leachate	<u>50,000 gpd</u>	
▪ Total Reserves	323,900 gpd	623,100 gpd
• Projects in Progress	254,676 gpd	
• Other Planned Projects	<u>180,000 gpd</u>	
▪ Subtotal	434,676 gpd	188,424 gpd
• Possible Future Development (recent annexations)	926,700 gpd	
• Possible Future Septic Elimin (within DNREC 1000' setback)	<u>89,100 gpd</u>	
▪ Subtotal	1,015,800 gpd	(827,376 gpd)
• Proposed WWTP Expansion	1,000,000 gpd	172,624 gpd

Mrs. Schwartz then showed the population growth rates that are used to calculate the growth flows.

POPULATION GROWTH RATES

- Census Data – 1990 to 2010 (20 years) - 1.0% per year
- Delaware Population Consortium Projections (next 30 years)
 - Statewide - 0.6% per year
 - Sussex County - 0.9% per year

WASTEWATER FLOW GROWTH RATES

- Actual WWTF Flows - 1981 to 2015 (34 years) - 1.3% per year
- Projected Flows over next 30 years-
 - @ 1.0% per year 1.4 mgd
 - @ 1.3% per year 1.6 mgd
 - @ 2.0% per year 1.9 mgd
 - @ 2.5% per year 2.2 mgd
 - @ 3.0% per year 2.6 mgd
 - @ 3.5% per year 3.0 mgd

Mrs. Schwartz stated that the proposed capacity is 3,000,000 mgd. City Manager Slatcher added that the plant needs to be upgraded even to maintain the 2 mgd. The TMDL's and the other impacts that have come in on the regulatory side has diminished the plant capacity.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked about the study that was done in 2007 if it was a design study or total discharge. Mrs. Schwartz stated that it was a preliminary construction cost estimate but it did look at some layouts and treatment technology. Councilman Henderson asked if the treatment technology was similar since this study was done almost ten years ago. Mrs. Schwartz stated that there have been some advancements but they are not too far off. She added that the study will need to be updated with a new cost estimate and look at those changes in technology. It did not have enough foresight to include anything about Sea Level Rise.

Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve the submittal of the response to DNREC for the compliance schedule response related to capacity required by the WWTF NPDES permit. Councilwoman Peterson seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business # 5, Present request from Belle Ayre Investments, LLC to retroactively approve an extension of the sunset for the site approval for the Belle Ayre subdivision from 1/14/15 to 1/14/17. Mr. Mark Prata was present from Belle Ayre Investments, LLC. City Manager Slatcher stated that no plans have changed and the approvals will stand as is if the two year extension is granted.

Mayor Genshaw solicited any questions or comments from Council. Councilman Henderson asked if any code changes have taken place since the plans were approved. Mr. Anderson, Assistant City Manager stated there has been some changes. The major change is with the conservation district and that is the main reason that they would like to keep their plan alive. He added that they are also in the que for the sewer capacity with this project. Mr. Prata added that he received a letter dated January 20, 2016 from Sussex County Conservation District that granted extension of their project through them which is good until March 27, 2019.

Mayor Genshaw called for a motion. Councilwoman Peterson made a motion to approve the extension for the sunset approval given to Belle Ayre subdivision from 1/14/15 through 1/14/17. Councilwoman Phillips-Lowe seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw presented New Business # 6, Present the recommendation for the request for proposal Annual Auditor award. City Manager Slatcher stated that RFPs were put out for the five year contract for audit services. There were four proposals received with SB& Company, LLC being the low bidder who is from Hunt Valley, MD. She stated that they do Municipal government audits and June Merritt, Director of Finance contacted their references and everyone had positive things to say about them. Therefore, it is being recommended to award the contract for audit services to the low bidder, SB& Company, LLC.

Mayor Genshaw solicited any questions or comments from Council. There were none.

Mayor Genshaw called for a motion. Councilman Mulvaney made a motion to award the five year audit services request for proposals to SB& Company, LLC as recommended by June Merritt, Director of Finance. Councilman Holland seconded the motion; motion so passed with all present voting in favor.

OLD BUSINESS

There was none.

REMINDER OF MEETINGS & SETTING NEW MEETINGS

- Delaware League of Local Governments, Duncan Center, Dover March 24 @ 6 p.m.

MUNICIPAL ELECTION- APRIL 16, 2016

The City of Seaford Municipal Election will be held on Saturday April 16, 2016 in the City Council Chambers, City Hall, 414 High Street, between the hours of 7:00 a.m. E.S.T. and 3:00 p.m. E.S.T.

One (1) Mayor will be elected for a (2) year term.

Candidate filed – Mayor David Genshaw
(Note: Mayor Genshaw will not appear on the ballot as he is the only candidate for the Mayor's
Office.)

One (1) Council Member will be elected for a (3) year term.
Candidates filed – Frank Daniel Cannon, Jr.

Councilwoman Leanne Phillips-Lowe

Anyone eighteen (18) years of age or older who is a bona fide resident to be eligible to vote, **must have been registered at the Seaford City Hall by 5:00 p.m., E.S.T., March 25, 2016.** A nonresident property owner to be eligible to vote must be owner of record for a period of six (6) months immediately preceding the date of the Annual Municipal Election (October 16, 2015) and shall have one vote **provided he or she is registered on the "Books of Registered Voters maintained at the City Hall. Registration hours are Monday through Friday, 8 a.m. until 5 p.m. or by appointment if you cannot register during these normal business hours.** The City of Seaford has independent registration procedures for the Annual Municipal Election. **To vote, you must meet the eligibility requirements and be registered on the "Books of Registered Voters" maintained at City Hall.**

DUE TO FRIDAY, MARCH 25, 2016 BEING A CITY OF SEAFORD HOLIDAY THE OFFICES WILL BE CLOSED. WE ENCOURAGE ALL INTERESTED RESIDENTS TO REGISTER PRIOR TO THE DEADLINE.

A person shall be required to register only one time. You are urged to check your registration if you did not vote in the last municipal election. If you have moved out of the City after your original registration, you will need to check your registry to assure you are an eligible voter.

All voters will need to show proof of residency which may be a State of Delaware driver's license, a State of Delaware identification card, a federal or state tax return with address, a City of Seaford utility bill or real estate property tax bill, or other acceptable proof of residency or ownership.

COMMITTEE REPORTS

Councilwoman Phillips- Lowe reported that there was no fire report given. The police department reported that the second suspect was arrested in the shooting incident that occurred at Chandler Heights. On March 11th while special duty officers were patrolling they found a vehicle with a visible handgun along with drugs which led to one arrest and a warrant for another suspect. Anita Bell, Dispatcher Administrator has been working on the CAD update and all dispatchers will have to take a 2 day class in Dover. On March 17th Acting Chief Flood attended a dinner at the American Legion along with Lt. Bohn. He is also preparing for promotional testing.

Councilman Mulvaney reported that in the Administrative department, City Manager Dolores Slatcher, Assistant City Manager Charles Anderson and Finance Director June

Merritt are noted in the following: ICMA Webinar on supervisory practices, claims review with travelers, the Conceptual Vision Plan meetings and presentation, employee meeting with the Elected Officials, Downtown Development & Main Street affiliate meeting with DEDO in Wilmington, benefit committee meeting to review health insurance and the audit services. Dolores and Charles also attended and spoke at the SCAT breakfast meeting with the Sussex County Legislators. City Manager Slatcher also worked on the FY17 budget and spent 11 days on vacation. Assistant Manager Anderson also participated in a conference call with the Singer Group, participated in interviews and met with Mr. Bill Davis regarding a cycling plan for western Sussex County. Finance Director Merritt reported continuing working on the FY17 budget and assisting staff with FIOA requests. City business functions are all reported as routine; bills for February consumption are due March 23rd with disconnects for non-payment scheduled for April 6th.

Councilman Holland reported that in the recreation department, the schedule was made for the upcoming volleyball season. Preparations were made for the Easter Egg Hunt which was held on Saturday and was a big success. Registration fees are being collected for upcoming programs including volleyball, softball and flag football. Repairs were made to the outlets at the Sports Complex. The departments all attended the all employee meeting as well.

Councilman Henderson reported that in Economic Development, Trisha Newcomer participated in the Conceptual Vision Plan charrette process and the plan presentation. She attended the Sustain 2016 Conference in Dover on March 14 and 15. This year's Sustain Conference concentrated on culture, marketing, and sustainability in the hospitality and food service industry, and how small organizations could better compete with large organizations. She attended other key meetings and performed other functions including: continuing to meet with various businesses within the City, attended the 2016 Downtown Delaware Revitalize Conference and Awards along with Dolores Slatcher, Charles Anderson and myself. The Seaford community was well represented at this conference as evidenced by the following award recipients: Tammy Kearney – Seaford Downtown Volunteer of the Year, Craig Aleman – Seaford Downtown Business Owner of the Year and Seaford Investment, LLC (David Perlmutter, Faith & Warren Diamond) – Seaford Downtown Community Partner of the Year. In Information Technology, oversaw the configuration and deployment of new equipment scheduled for Fiscal Year 2016. She worked with software vendors during a device installation, and solved a data communication problem at a work station.

In Public Works, the sweeper has been repaired, and it is back in service. Berley produced the Boys and Girls Club paving bid. Personnel performed routine tasks and repairs, but notably a water leak repair on Hickory Lane, joint sealing on the westbound Stein Highway Bridge, and a frost proof hydrant replacement at Williams Pond Park.

The Waste Water Treatment Facility's total system performance is reported as good. The leachate treatment program is going well, compost sales are increasing, and the material screening is intermittent. Operations and maintenance are routine with no notable repairs

this period. The local limits draft has been submitted to EPA and DNREC for review. Congratulations go out to Ray Hill who recently received his Level II Wastewater license from DNREC.

Building Official, Josh Littleton, reported the Code departments permit and violation inspections as well as many other activities are routine. The department has ongoing plan reviews for several projects and continues to monitor planned projects and projects that are underway. Other items of note: Mike Bailey is preparing for ICC certifications, Congratulations also to Josh who sat for and passed the ICC examination for Residential Building Inspector.

Councilman Henderson also thanked the employees of the City for their input at the recent employee meeting, and he stated that he appreciated their input subsequent to the meeting. He added that any concerns or ideas are welcomed at any time.

Councilwoman Peterson reported that Rick Garner, Electrical Engineer, attended several meetings including the ICMA seminar, DEMEC demand check presentation, WWTF site visit. He also worked on the EIA report and completed a final solar inspection for a resident on Woodlawn Ave. He has also done some correspondence for CPR/AED training. Bill Bennett, Supt. of Electric reported that he attended the ICMA seminar and the department worked on cleaning up three yards that they accessed during the snow event and tree trimming clean up.

Mayor Genshaw thanked Mike Kraft who dressed up as the Easter Bunny for many years and will be retiring from the duty.

With no further comments, Mayor Genshaw called for a motion to adjourn the Regular Meeting of Mayor and Council to move into an executive session. Councilwoman Phillips-Lowe made a motion to close the Regular Meeting of Mayor and Council and move into executive session. Councilman Henderson seconded the motion. Motion so passed with all present voting in favor. The Regular Council Meeting was closed at 7:55 p.m. to move into an executive session.

Mayor Genshaw reopened the Regular Council Meeting following the executive session at 8:44 p.m. He called for a motion to adjourn the Regular Council Meeting with no further business to be discussed. Councilman Mulvaney made a motion to close the Regular Meeting of Mayor and Council. Councilman Henderson seconded the motion and motion so passed with all present voting in favor. Mayor Genshaw adjourned the meeting at 8:44 p.m.



Dolores J. Slatcher, City Manager