

AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
SEPTEMBER 25, 2018
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 September 11, 2018.

ALL ITEMS ON THIS AGENDA MAY OR MAY NOT BE VOTED ON.

CORRESPONDENCE:

7:05 P.M. PUBLIC HEARING:

1. McDonald's, 23500 Sussex Highway, TMP # 331-5.00-54.00, are seeking a final site plan review for a proposed McDonald's restaurant with associated parking and access driveways.
2. City of Seaford and Better Homes of Seaford, Inc. are seeking a final site plan review for Herring Ridge, a 35 unit Townhouse Development with community building and various site improvements, to be located west of Bridgeville Hwy. east of Hampton Circle, TMP # 331-5.00-4.24.
3. Harim Millsboro LLC, 126 N Shipley St. are seeking a subdivision of TMP # 531-13.10-17.00, 531-13.10-19.00 and 531-13.10-20.00 into eleven (11) new parcels.

NEW BUSINESS:

1. Berley Mears, Director of Public Works to present information pertaining to an infiltration and inflow (I&I) study, including smoke testing of some sewer facilities, to be undertaken within the City of Seaford.

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REGULAR MEETING OF THE MAYOR AND COUNCIL

September 25, 2018

NEW BUSINESS (CONTINUED):

2. Present for approval a resolution in support as partnership with the Parks Resource Office, State Division of Parks and Recreation under the Outdoor Recreation, Parks and Trails Grant Program for planning and Acquisition funds for the Oyster House Park project.
3. Bids - Parks Department Zero Turn Mower
4. Bids - Nutter Park Basket Ball Court Repairs
5. Present for acceptance the Annexation Committee Report for annexing property identified as TMP 331-5.00-84.00 (with building) and TMP 331-5.00-85.05; located at 1380 Middleford Road, Seaford, DE 19973.

OLD BUSINESS:

1. Present for approval a letter from Belle Ayre Investments, LLC offering the donation of the balance of the land (51 unimproved lots) in the Belle Ayre Subdivision to the City.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. Seaford Night Out, Seaford Police Department, Thursday, September 27, 2018 5pm - 8pm.
2. Monday, October 1, 2018, Pink Ribbon Walk from Nanticoke Memorial Hospital to Gateway Park. Games and activities starting at 6:15p.m. at Nanticoke Hospital followed by the walk to Gateway Park at 7:00p.m.
3. SCAT Meeting, SVFD Banquet Hall; October 10, 2018, 6:00 p.m.

COMMITTEE REPORTS:

1. **Police & Fire - Councilman Dan Henderson**

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REGULAR MEETING OF THE MAYOR AND COUNCIL

September 25, 2018

- 2. Administration - Councilman Orlando Holland**
- 3. Code, Parks and Recreation - Councilman James King**
- 4. Public Works & WWTF - Councilwoman Leanne Phillips-Lowe**
- 5. Electric - Councilman William Mulvaney**

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))

Date Posted: 9/17/18

Posted by: TNT

11/15/18
9-2-18

**City of Seaford Resolution in support as partnership with the Park Resource Office,
State Division of Parks & Recreation under the Outdoor Recreation, Parks & Trails
Grant Program**

Whereas, the City of Seaford has long been committed to providing active and passive outdoor recreation experiences for its residents; and

Whereas, a key factor in business expansion and location decisions is the quality of life, with a premium placed on adequate parks and open space; and

Whereas, Seaford endeavors to renew its downtown district making it a thriving and robust place for merchants drawing residents and visitors alike; and

Whereas, children exposed to parks have greater opportunities to be physically active by running, walking or participating in other recreational activities, thereby helping to combat the problem that one in three children in the U.S. are overweight or obese; and

Whereas, the Nanticoke River is a valuable both regionally and nationally for natural, cultural and recreational resources; and

Whereas, the State's Outdoor Recreation Parks & Trails Program seeks to identify and highlight new ways for expanding outdoor play in areas with great need, as well as promoting the development of new or enhanced partnerships for outdoor recreation across Delaware; and

Whereas, the City has applied for grant assistance from the Outdoor Recreation Parks & Trail Program to assist in both acquisition of Oyster House Park and to create a master plan for this park; and

Whereas, the City appoints Charles Anderson, City Manager, as its ORPT Grant manager.

NOW, THEREFORE, BE IT RESOLVED, when the City of Seaford is awarded an ORPT Grant for Oyster House Park, it is committed to completing the tasks outlined in the ORPT application that was submitted to the State Division of Parks & Recreation, Park Resource Office.

BE IT FURTHER RESOLVED, when accepting ORPT Grant assistance, the City makes commitment to protecting and maintaining Oyster House Park.

I, David C. Genshaw, Mayor of the City of Seaford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Mayor and City Council at its Regular Meeting held on September 25th, 2018, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Dated: _____

David C. Genshaw, Mayor

Attest: _____
Charles Anderson, City Manager

Application Section A

Eligible Greenway and Trail Grant Projects

Projects eligible for ORPT Greenway and Trail grant assistance fall in the categories listed below. Check all that apply to this grant request. Motorized trail development, and trail maintenance costs are not eligible for ORPT assistance.

- Unpaved construction of new trails
- Paved construction of new trail, pathway or riverwalk
- Trail or pathway extension
- Trail or pathway widening
- Development of trailheads, associated facilities and infrastructure (parking, information boards, 3-sided kiosks, electricity, water access, boat launch, other)
- Road crossing improvements (These must have DelDOT approval)
- Pedestrian/bicycle bridge(s)
- Construction of trail improvements that facilitate access and use of trails by persons with disabilities
- Development and installation of trail/pathway markers or directional signs
- Acquisition of fee simple title to property for trail & park development
- Acquisition of fee simple title to property for greenway corridor conservation (Uses may include wildlife habitat, stream corridor preservation, buffer or other)
- Acquisition of fee simple title to property linking historic or cultural sites
- Educational or interpretive brochures
- Trail or greenway corridor maps for information board or kiosks
- Greenway or trail planning
- Other (specify) park planning

Type(s) of trail uses or greenway conservation that will result from this project: (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Pedestrian trail or pathways | <input type="checkbox"/> Greenway conservation corridor |
| <input type="checkbox"/> Bicycle trail or pathway | <input type="checkbox"/> Habitat preservation |
| <input type="checkbox"/> Mountain bike trail | <input type="checkbox"/> Stream corridor preservation |
| <input type="checkbox"/> Equestrian trail | <input checked="" type="checkbox"/> Water access |
| <input type="checkbox"/> Nature trail | <input type="checkbox"/> Other (specify) _____ |
| <input checked="" type="checkbox"/> Water trail | |
| <input checked="" type="checkbox"/> Riverwalk | |

- Provide a resolution signed by town/city/county council acknowledging this ORPT funding request, assigning a project manager, identifying financial investments and the commitment to maintain the property.
 - See attached
- Provide a diagram or plan of the existing facilities and proposed park investments. If a plan is not available, indicate when one will be sent to the Division of Parks and Recreation.
 - This 2-part application is for land acquisition and park master planning.

Application Section B

Project Description (required)

1. Explain, in detail, what the Sponsor intends to accomplish under this grant. Describe how this project links to, or, is an integral part of an existing trail or trail system. Attach appropriate maps and a site plan of the proposed project which includes property ownership, boundaries, relationship of project to other existing trails and trailheads, greenways, parks, wildlife areas and other open space, and additional information that will help better understand the specifics of the project. **(Limit response to one page)**

In partnership with the Chesapeake Conservancy, Seaford has taken ownership of a 0.97-acre parcel at the foot of Pearl & Cannon Streets fronting the Nanticoke River. There are no existing facilities on this property. Seaford and our partners will create a master plan addressing future site uses which we envision to include water access, connection to the existing segment of Seaford's RiverWalk, and a new structure that will serve a visitor contact station for the Nanticoke River Water Trail and Captain John Smith National Water Trail.

Seaford submits a two-part ORPT Grant application, the details of which are outlined here under B.1.a and B.1.b.

B.1.a: In June, Seaford became the owner of a 0.97-acre parcel fronting the Nanticoke River between Cannon and Pearl Streets. Identified as parcel number 431-7.00-23.00, the site is one block from downtown's High Street. (See Seaford's Waiver request). This site lies immediately downstream of the Seaford RiverWalk and the Nanticoke Bridge. The new park property is the last remaining undeveloped waterfront parcel in city limits below the bridge. The City requests \$25,000 of the property's value in the form of ORPT Grant.

Future Use at the Site: We plan to extend current Nanticoke Riverwalk, previously constructed by Seaford along Market Street and the riverfront, to this site. Extending the Riverwalk will complete a circuit route defined by High Street, Market Street, Seaford Gateway Park (a DTF project) and future fishing access adjacent to the upstream side of the Seaford/Blades bridge. Along this path are Seaford Museum and downtown businesses. We envision a new kayak/canoe access, visitor contact structure, and stabilized shoreline. Future uses will be addressed in the development of a Park Master Plan whose elements are outlined below in B.1.b. of this application.

B.1.b: To move directly into the park planning phase, the City includes in this application a request for \$75,000 to develop a Park Master Plan for Oyster House Park. The following will be researched and addressed:

- Build on a Phase 1 environmental assessment to further evaluate and assess the site's environmental conditions, i.e., soils, floodplain, wetlands, potential impacts from nearby industry and other conditions as appropriate;
- Determine constraints and opportunities for park development, i.e., including but not limited to powerline easements, sewer main, building limitations, site ingress and egress;
- Determine socio-economic or other factors informing park development and uses;
- Examine the site's historic uses to inform planning process and future development;
- Identify alignment of RiverWalk extension and water access facility;
- Evaluate potential for and preliminary design of a visitor contact station that reflects the site's historic use as an Oyster House;

- Identify “green practices” for future site use;
- Create digital map files of all data discovered in during the planning process;
- Create public participation opportunities during the master planning steps; and
- Assemble key findings and prioritize actions in the Oyster House Park Master Plan.

In addition to the RiverWalk extension, Seaford and our partners envision creating a park with a kayak/canoe water access and a visitor contact station. As the Nanticoke flows on its journey to the Chesapeake Bay, it is a rich recreational river; a working waterfront; a conservation corridor; and a historic river touched by Captain John Smith’s Chesapeake explorations. We want to create new recreational opportunities and honor the river’s history at Oyster House Park. Future waterfront park investments will result in recreational and ecotourism benefits for the City and western Sussex, and, serve as a trailhead and gateway for visitors to the Captain John Smith Chesapeake National Historic Trail (CAJO).

Oyster House Park is complimentary to and will serve as a gateway to other natural resources and recreational opportunities in the Nanticoke River region. Creating a visitor contact station on this small park is important in the development of the CAJO Trail and to generating co-benefits to Nanticoke River Water Trail and the City. To date, other CAJO visitor contacts sites have been developed in Chestertown, MD (Sultana Education Foundation); Church Creek, MD (Harriett Tubman Underground Railroad Byway); Hampton, VA (Fort Monroe National Monument); Wrightville, PA (Zimmerman Center for Heritage). All have important local, regional and national benefits in promoting water-based recreation and natural/historic/cultural resource education.

2. Explain who will conduct the work and how the work will be accomplished. Will work be accomplished with contractors, paid agency staff, volunteers or a combination?
(Limit response to a paragraph)

To develop the Oyster House Master Plan, the City will hire contractors to perform work outlined in this application and other elements necessary to complete the master plan. RFPs and subsequent contracts will be issued to qualified contractors following the City’s bidding process requirements.

3. Provide a timeline for this project including the starting date, milestones or benchmarks, anticipated completion date, and date when project will be open for public use.
(Limit response to a paragraph)

It is estimated to take approximately one year to perform the site analysis and master plan for Oyster House Park. Once an ORPT Project Agreement is signed by the City and the State, Seaford will begin the steps to advertise for the various products it seeks to create a robust plan for the new park site.

Images (recommended)

Include digital images or photographs of the project location with the Grant Application. Electronic copies of digital images may be sent separately to Robert Ehemann at robert.ehemann@state.de.us.

See Attached

Maps (recommended)

Include detailed maps showing the location of the park in which development will occur or location of park acquisition making sure map includes street names or road numbers. (Attach to application)

See Attached

Plans (Required for Development projects)

Provide a diagram or plan of the proposed trail development including location of all proposed facilities. Show existing facilities in the plan or diagram. If a plan is not available, indicate when one will be sent.

See conceptual alignment map attached.

Application Section C

Applications will be evaluated and rated based on answers provided to the following questions as well as spatial modeling conducted by the Planning Section.

1. **Comprehensive Plan:** Is the project identified in a municipal, county regional or state comprehensive plan or trail plan? If so, address how the proposed project will implement elements of the plan. Does the proposed project directly support strategies or recommendations of the plan? Explain.

Seaford's Comprehensive Land Use Plan is currently being updated. Parks are addressed in the plan including Oyster House Park.

2. **Public Participation/Planning Coordination:** Describe the level of public participation that was involved or will be involved in the planning process for this project. Describe the partnerships that were involved with planning including elected officials, community leaders, interest groups, steering committee, businesses, recreation organizations, foundations, non-profit organizations or public feedback. Identify any methods such as public meetings, personal contacts, surveys, etc. used to develop the proposed project.

A team of public and private partners is in place to guide plan development; this team is likely to grow as we move forward. We will create opportunities for public input and review of the evolving master plan. We will continue to consult with the National Park Service, the Park Resource Office, Seaford Historical Society and other organizations as appropriate in plan development.

3. **Trail Network:** Does the project extend/improve or fill gaps of an existing trail system? Does the project tie into a sidewalk or bicycle network? Explain.

Future site development will include a new segment of the RiverWalk. The RiverWalk directly links downtown and Gateway Park to the Nanticoke River.

4. **Recreation Access:** Does the project improve access to existing or proposed outdoor recreation facilities such as playgrounds, ballfields, basketball/tennis courts, pavilions, etc? Explain.

Concepts for Oyster House Park include the extension of the RiverWalk and a kayak/canoe access facility.

5. **Support facilities:** Does the project enhance/improve trail user experiences such as benches, information boards, direction signage, restroom, observation platforms, interpretation, etc? Explain.

Currently, concepts for Oyster House Park include historical, natural resource and river-related interpretative panels. Determination of other facilities will be made during the planning process.

6. **Natural/Historic Access:** Does the project improve access to natural features (landscapes, ponds, streams, overlooks, scenic views, etc) or known historic/cultural resources (landmarks, buildings, structures, Native American sites, etc)? What considerations are given to avoid impacts and/or interpret historic/cultural resources? Explain.

Once the location of the JB Robinson & Co, an oyster planter and packer and fruit shipper, the site's history will be reflected in the future park development. We envision interpretative signs, as stated in Section C.5., and expect that a future structure will architecturally reflect the former Oyster House.

7. **Accessibility:** Describe the existing ADA conditions including parking, routes and facilities. To what extent will the proposed project be accessible for persons with disabilities? (ie designated parking, routes from parking to trail, ramps to facilities like pavilions, trail surfaces, slopes etc.) When will the project be reviewed by the Accessibility Review Board?

The planning phase will account for site accessibility.

8. **Transportation/Destination Links:** Describe how the project provides improved access or connections to communities, schools, business, shopping districts and work places. Is the project identified in a state or local transportation plan? Can a reduction of car trips be demonstrated?

Oyster House Park is one block from downtown businesses on High Street. The site is easily walkable via sidewalks to the Seaford Museum, Gateway Park, nearby residential neighborhoods, and Nanticoke Hospital.

9. **Environmental Impact and Resource Protection:** What are the environmental impacts caused by the project (soil, water, wetlands, floodplain, noise levels, disturbance of plant and animal habitats). Describe mitigation measures, if any, to be taken to resolve any adverse effects. Discuss the survey findings, if applicable, that have been conducted to identify wetlands or rare plant and animal species etc. What are the natural, cultural, or ecological resources this project will protect?

A preliminary environmental assessment was conducted prior to June 30th settlement for acquisition, though more baseline site conditions will be fully evaluated in the master planning phase.

10. **Matching Funds:** Provide the funding amounts and sources for all elements of the project and the date when each source will be secured. List any commitment of labor, funding or materials provided for the project by sponsor or partners. Expand on table from page 1 if necessary.

Matching funds for this project are accounted for in the value of the parcel acquisition. The Chesapeake Conservancy acquired the property for \$225,000 in June 2018 and immediately transferred to the City of Seaford.

11. **Maintenance:** Describe how the sponsor will provide for continued operation and maintenance of the project after completion. Who will perform the work? Provide the current and projected budget amounts and sources of funds to maintain and operated the new facility. Is there a maintenance plan/schedule in place? Describe any partnerships and their roles to assist with maintenance?

The City of Seaford has full operational and maintenance responsibility for this site. Our work force will maintain and operation the site for access and ensure safety at this site. Future operation and maintenance at Oyster House Park are likely to be addressed during the master planning process.

Grant Application Deadline

If you have any questions, please contact Bob Ehemann at 302 739-9241.

Return completed 2017 ORPT Trail Grant Application by **Friday September 14, 2018** to:

Robert Ehemann
Grants Coordinator
DNREC, Division of Parks & Recreation
Park Resource Office
89 Kings Highway
Dover, DE 19901

Robert.ehemann@state.de.us

NBB-3
9-20-18

MEMORANDUM

TO: Charles Anderson, City Manager
FR: Katie Hickey, Supt. of Parks and Recreation
RE: **2018 Zero-Turn Mower for the Parks Department**
DT: September 20th, 2018

The City received five bids from two vendors in response to our bid advertisement for the above referenced equipment on September 19th, 2018. Please see the tabulation of the bids received below:

After reviewing the detailed specification documentation submitted by the bidders we

Bidder	Bid Price	Striping Kit	Trade In	Base Bid	Bid w/o Striping Kit	Notes for Bid
Textron, OPE	\$7,379.00	N/A	N/A	\$7,379.00	\$7,379.00	Dixie Chopper Eagle 2760KW
Atlantic Tractor	\$9,973.81	\$439.77	\$1,250.00	\$9,163.58	\$8,723.81	(Z930M model with Tweel Turf tires)
Atlantic Tractor	\$9,320.08	\$439.77	\$1,250.00	\$8,509.85	\$8,070.08	(Z930M model)
Atlantic Tractor	\$9,643.48	\$439.77	\$1,250.00	\$8,833.25	\$8,393.48	(Z950M model)
Atlantic Tractor	\$10,297.21	\$439.77	\$1,250.00	\$9,486.98	\$9,047.21	(Z950M model with Tweel Turf tires)

would like to note the following items:

It is my recommendation that the bid be awarded to the lowest bidder, Textron OPE., with servicing provided by Bobcat of Sussex County located in Delmar, DE with no trade-in.

This purchase was authorized in the FY19 Parks Capital Budget. The budgeted amount for this purchase was \$9,500.

Should you have any questions, please contact me.

Thank you.

NIBH d
9-20-18

MEMORANDUM

TO: Charles Anderson, CM
FR: Katie Hickey, Supt. of Parks & Recreation
RE: Nutter Park Basketball Court Resurfacing
DT: September 20, 2018

The City received one bid for the above referenced project. Please see the below table:

Bidder	Total Base Bid
ATC Corporation	\$38,171.00

It is my recommendation that the bid be rejected by Council due to insufficient budgetary funds.

Please present this information to Council at their meeting on September 25, 2018 for their consideration.

Should you have any questions, please contact me.

Thank you.

MELSON
0-3-5-19

August 30, 2018

The Honorable David C. Genshaw
Mayor
City of Seaford
Seaford, DE 19973

Dear Mayor Genshaw,

We, a Committee appointed by you on August 14th, 2018 to investigate the possibility of annexing certain lands into the City of Seaford limits, would like to present the following report:

PETITIONER AND LOCATION OF LANDS:

Petitioner:	Seaford Nylon Employees Council P.O. Box 232 Seaford, DE 19973
Owner:	Seaford Nylon Employees Council P.O. Box 232 Seaford, DE 19973 Treasure: Mark Melson
Sussex County Tax Map Address:	Parcel # 331-5.00-84.00 & 85.05 1380 Middleford Road Seaford, DE 19973
Total Square Footage:	30,070 +/-

REASON FOR ANNEXATION

The submitted annexation paperwork dated May 14th, 2018 states that the property petitioner's reason for requesting annexation is to obtain City utilities.

STREETS AND ROADWAYS:

The property identified for annexation is located adjacent to Middleford Road and contains a commercial building and other ancillary facilities. The Department of Transportation must approve any new or revised entrances on the roadway listed above, as it is State maintained. Any proposed development has the potential of imposing additional traffic on the adjoining roads and intersections. Anyone planning to develop any project on this land is encouraged to contact the Delaware Department of Transportation prior to formulating their plans or purchases. The parcel proposed for annexation is shown on the attached Sussex County Tax Map. The City of Seaford does not expect to construct any new streets to accommodate development of this land.

STORM WATER DRAINAGE:

There is no municipal storm water system in close proximity to these lands. Any storm water management system to serve these lands will have to be designed by the developer and approved by the Sussex Conservation District office. As in all projects, the regulations require the site to discharge the same quantity of storm water post-development as the property discharges pre-development. The prevailing regulations of the Sussex County Soil Conservation District will be imposed on this project.

ZONING:

The proposed areas of annexation are zoned as listed:

TMP#: 331-5.00-84.00

Current Sussex County Zoning: General Business

Requested City of Seaford Zoning: C-2 Highway Commercial District.

TMP#: 331-5.00-85.05

Current Sussex County Zoning: General Business

Requested City of Seaford Zoning: C-2 Highway Commercial District

The City of Seaford Council may have to zone the land through the City's Municipal Code following annexation, pending legal advice.

ELECTRIC:

Currently the subject parcel receives electrical service from Delmarva Power. Upon annexation the City will amend its service territory agreement with Delmarva Power through the Public Service Commission to include the annexed lands. Any development after the amendment of that agreement would be serviced by the City of Seaford. Current City policy is to plan for effective growth by working out phasing plans with developers that accommodate development in the most cost-effective manner possible. All electrical design will be completed at the cost of the developer in accordance with City rules and regulations.

SEWER:

The City of Seaford currently has a gravity sewer main near the subject property. This facility services the Herring Run Park Professional Center located west of the subject lands (1320-1350 Middleford Road). The City of Seaford municipal sewer system is the only publicly owned system in the area. Once annexed these lands would be eligible to be tied into the municipal sewer system. The extension of sewer mains and the construction of lift stations (if required) are considered a part of the project development cost and the owner should give careful review and consideration for sewer connections. Connection of any new buildings located on the site will be contingent on approved connection plans and available capacity of the wastewater treatment system. The City of Seaford's wastewater treatment plant's capacity is 2.0 M gallons per day for secondary treatment and nutrient limitations; current average daily flows are approximately 1.1 MGD. The estimated daily flows from the site would have to be provided to the City. Planning of the service mains would have to be performed by the owner and approved by the City prior to any construction. The owner would be expected to pay all associated fees. The Building Official will develop a fee assessment for the project upon request with proper information provided.

The owners and/or developers should prepare professional engineering studies to confirm the cost of extending sewer collector mains, and if needed the installation of a sewage lift station on the basis of inadequate fall for gravity mains. The system should be studied from the point of discharge into the system to the point of treatment at the plant. All improved properties are expected to be served by the municipal sewer system within one year of annexation, or as soon as development occurs.

The City of Seaford's current practice is for the developer or owner to extend mains that are sized for the project needs. The City reserves the right to review plans and oversize mains and/or lift stations at their cost to extend sewer service to other areas they designate.

A final review will be made by the City to determine sewer concentrations of the proposed discharge to the municipal system. In some cases, pretreatment may be required prior to discharge. This will be determined once the use of the lands are identified. All final fees will be assessed and permits for connecting to the municipal sewer system will be issued by the City Building Official.

WATER:

The City of Seaford has an existing water main near the subject property. A 10" water main is located in the Middleford Road right-of-way adjacent to the site. The City's water supply is sufficient to support development. However, the necessary distribution system extension (water tap) to the new development would have to be provided by the developer. Planning of the service connections would have to be performed by the owner of the lands and approved by the City prior to any connection. The owner would be expected to pay all associated construction and connection fees.

EASEMENTS:

The owner will need to provide the City the necessary easements prior to acceptance of streets, water mains, sewer mains, and electric installations (if applicable). These should include a survey sealed by a licensed Delaware surveyor with a written legal description of lands being given. The easement document must stipulate that no permanent structures can be built within the easement area(s).

PROPERTY TAX:

The lands will be taxed based on the City assessment following the annexation. The assessment would be based on the value of the land and improvements as per City zoning. The current designated land use by the Sussex County Tax Assessment office are as follows:

TMP#: 331-5.00-84.00
Commercial

TMP#: 331-5.00-85.05
Residential, Vacant Lot, No Improvement

No real estate property taxes can be determined until City assessment occurs. The City hires a professional assessor to determine the value of assessment on lands. Therefore, staff cannot advise as to any potential tax billings for the subject lands. These will be based on improvements and land values that are subject to change per improvements and changes in zoning. The City's current real estate property tax rate is \$0.31 per \$100.00 of 100% assessment based on 2008 market values. There is an exemption for non-profit entities. A final review and approval must be granted by the Tax Assessor of the City of Seaford

COMPREHENSIVE PLANS REVIEW

The City of Seaford Comprehensive Plan

The Annexation Plan designates the subject property in the Town Center District. The proposed revision to the Land Use Plan identifies the area that the subject property is located in as commercial. The requested zonings of C-2 per City Zoning regulations would be consistent with the objectives of the plan.

Copies of the above referenced maps are attached hereto.

ADVANTAGES TO THE CITY:

These are not listed in any particular order of priority:

1. The City may benefit from an increased tax base.

2. There is the opportunity to provide utility services (electricity, water and sewer) to the parcel and spread the cost of service over a larger user base. It will allow the City to be positioned to serve additional lands adjacent but not in the City by the extension of the utilities to this property.
3. There is local control of development at the local municipal level by having authority over it; being able to implement the municipal codes to maintain the property based on complaints received.
4. This area would be served by the Municipal Police force, which will reduce property owner confusion and minimize dispatcher time (currently the area is serviced by the State Police, which is confusing to the property owners who have a Seaford address but are not within the City limits).
5. The governing body that will be the most impacted by the land use decisions will be making those decisions.
6. This is in keeping with Livable Delaware and minimizing sprawl.
7. The incorporation of this property into the City limits would eliminate an “enclave” of non-annexed County land surrounded (on two sides) by Municipal land.

DISADVANTAGES TO THE CITY:

These are not listed in any particular order of importance:

1. With continued growth, the City will have to expand personnel to provide all of the expected services.
2. The expansion may increase the operating and capital budgets. In addition, it will increase the area for City departments to serve.
3. Traffic may increase on Middleford Road in the event that a redevelopment of the property occurs.
4. If the property redevelops, accidents could increase without improvements to the adjoining roads and intersections. A traffic plan should be prepared if development is planned.
5. There will be an added number of requests to the City for reviews of plans, service extensions, Code, and Police services.

ADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION:

This is not intended to be inclusive of all of the advantages, but to be a represented sampling of some of the advantages to the area proposed for annexation.

1. The area will receive all utility services from one owner so coordination of services will be less complicated.
2. They will be provided local police protection with anticipated shorter response time.
3. All permitting will be coordinated through the City.
4. Support will be provided in obtaining other agency permits.

5. Checklist will be provided for development.
6. The local government will do the zoning of the lands.
7. Snow removal on all City owned public streets, leaf and limb pickup at the curb, and maintenance, such as paving, pavement markings, etc., on the City streets will be provided by the City.
8. All complaints will be made to the City.
9. The property owners will receive local representation for concerns through the elected officials who have to live in the community.
10. They will benefit from the municipal water and sewer services, once extended by the owner.

DISADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION:

1. They will have to adhere to local codes and ordinances, in building and maintaining facilities, which may be perceived as additional paperwork and more restrictive.
2. They will have only one vendor for utilities – water, sewer and electric.
3. They will have to adhere to more restrictive codes in placement of outside storage and appearance of property.

RECOMMENDATION:

The committee members unanimously agree to proceed with the proposed annexation process for this property. The committee members further recommend that the property be zoned C-2 Highway Commercial, in accordance with the City Zoning Ordinance upon annexation.

PUBLIC HEARING:

A Public Hearing will be held to fully explain what area is being proposed to be annexed into the City of Seaford. As part of the State of Delaware's Land Use Planning Act, the Plan of Services information will be submitted to the State of Delaware Planning Office for all State agencies to review and submit comments to the City.

DISCLAIMER:

The annexation committee reviews solely the annexation of lands into the territorial limits of the City of Seaford. They do not review projects for any endorsement as part of the annexation process. Any projects that may be presented for the land once they are annexed into the City of Seaford will follow the normal process for development, including Planning and Zoning and City Council Public Hearings to allow the public the opportunity to comment on the project proposal.

If you have any additional questions, feel free to contact me.

Respectfully Submitted,
THE CITY OF SEAFORD

Councilman Dan Henderson, Chairperson

Councilwoman Leanne Phillips-Lowe

Councilman H. William Mulvaney

BELLE AYRE INVESTMENTS, LLC
102 Larch Circle, Suite 203
Wilmington, Delaware 19804
302/658-4417 ext 3043
Fax 302/658-0618

11/2/15
3/23/16
08#1
9-25-18

August 9, 2018

VIA email: canderson@seafordde.com

City of Seaford
414 High Street
Seaford, DE 19973

RE: Belle Ayre Subdivision

Dear Mayor and Council,

We are requesting to be placed on the next council agenda, to discuss the option of donating the balance of land at the subdivision of Belle Ayre to the City, for due consideration. Belle Ayre consist of a total of 83 single family lots. Twenty of the lots have been sold and built on with an additional 12 lots improved and ready for building. The remaining 51 lots are approved but not improved, these 51 lots, consisting of 12+ - acres, is the area we would consider donating to the City, should the City agree.

Please let us know if this is something the City of Seaford would consider.

Respectfully Requested,

Mark Prata

Mark Prata
Belle Ayre Investments, LLC

CC: Leonard Iacono, Belle Ayre Investments, LLC