

AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
September 24, 2019
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 August 27, 2019.
 - Approval of minutes of the regular meeting on September 10, 2019.

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

Mayor Genshaw to recognize Boy Scout Troop 249.

7:05 PUBLIC HEARING:

1. Hunter Creek Homes, located at lot 6E Arch St Extd., Tax Map and Parcel # 331-5.18-101.00 is requesting a subdivision of the referenced property into three lots.
2. Ross Point Freedom Church, located at Sussex Ave Extd., Tax Map and Parcel # 531-10.00 217.02 is seeking a Final Site Plan approval for a proposed Church with associated parking.

CORRESPONDENCE:

- 1.

NEW BUSINESS:

1. Present for approval a request from Better Homes of Seaford, the contract purchaser of TMP #331-5.00-4.24 (City owned property) to start construction on the property prior to closing on October 24th.
2. Present for consideration proposed language revisions and monetary limits changes to section 14 - Contracts and Section 37 - Floating Debt, of the City of Seaford Charter.

AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

September 24, 2019

OLD BUSINESS:

- 1.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. 911 Services Evaluation Committee Meeting, October 1, 2019, 7:00 p.m., City Hall Council Chambers.
2. SCAT Meeting, October 2, 2019, 6:00 p.m., Seaford Fire Hall.
3. SHS Homecoming Parade, October 4, 2019, 6:00 p.m., Downtown Seaford.
4. Public Power Week, October 6-12, 2019.

COMMITTEE REPORTS:

1. Police & Fire - Councilman Dan Henderson
2. Administration - Councilman Orlando Holland
3. Code, Parks and Recreation - Councilman James King
4. Public Works & WWTF - Councilman MacCoy
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: 9/17/19

Posted by: TNT

BETTER HOMES OF SEAFORD, Inc.

Established 1969

A NON-PROFIT CORPORATION FORMED
TO PROVIDE BETTER HOUSING IN
THE CITY OF SEAFORD

101 Independence Drive
Seaford, Delaware 19973

NEB 1
9-24-19
TDD: (800) 232-5460
Phone: (302) 629-8048
Fax: (302) 629-6362

September 11, 2019

Mr. Charles Anderson
City Manager
414 High Street
Seaford, DE 19973

RE: Construction Start on Herring Ridge

Dear Charles,

We have nearly got all the required documents completed for the construction closing for Herring Ridge. We have a tentative closing date of October 24th.

However in the meantime the General Contractor is eager to get started on the preliminary site work to get ahead of the winter weather, which can really delay site work and hence delay completion of the project in a timely manner in accordance with the LIHTC time schedule.

We are requesting that the City allow us to start construction ahead of the construction closing of October 24th.

We would obtain the permits from the City and the County before starting any work and we understand that any work we do on the site is at our risk if for some reason the project was not funded and we would be responsible to return the property to its present condition.

Appreciate your consideration of this request.

Sincerely:

William G. Roupp
Executive Director
Better Homes of Seaford, Inc.

NB # 2
9-27-17

Proposed revisions to Section 14

(Insert the highlighted language)

All contracts for the purchase of materials or for the furnishing of services authorized or permitted by this Charter shall be accomplished by advertising and by competitive bidding in the awarding of contracts to the lowest responsible bidders; PROVIDED however, that competitive bidding shall not be required under any of the following circumstances:

In the case of material and non-professional services.

1. The aggregate amount involved is not more than Twenty-five Thousand Dollars (\$25,000)
2. For purchases related to Public Works (Utilities) projects, the aggregate amount involved is not more than Fifty Thousand Dollars (\$50,000). Projects with an estimated value between \$50,000 and \$99,999 do not require an Advertisement for Bid. In this case, the Department Director is required to solicit competitive, written proposals from a minimum of three contractors. These contractors are usually selected based on past performance and experience on projects of similar magnitude.

Renumber the section accordingly.

Proposed Revisions to Section 37

The City Council of the City of Seaford shall have the full power to anticipate revenue by bowring upon the full faith and credit of the City of Seaford the sum or sums of, not exceeding ~~Two Million Dollars (\$2,000,000)~~ Three Million Dollars (\$3,000,000) in any one fiscal year.....

Contracts.**Section 14.**

It shall be unlawful for the City Council to make or enter into any contract in excess of Five Hundred Dollars (\$500.00) for materials, supplies, work or labor for the benefit and use of the City of Seaford with any member of the City Council or the Mayor or with any partnership in which any member of the City Council or the Mayor is a general partner or with any corporation in which any member of the City Council or the Mayor is a director or controlling stockholder or with any firm or company which any member of the City Council or the Mayor is pecuniarily interested, provided that if all the elected members of the City Council shall vote to enter into such contract, then the City may enter into such a contract. Any such contract executed without such unanimous vote shall be absolutely null and void.

All contracts for the purchase of materials or for the furnishing of services authorized or permitted by this Charter shall be accomplished by advertising and by competitive bidding in the awarding of contracts to the lowest responsible bidder; PROVIDED HOWEVER, that competitive bidding shall not be required under any of the following circumstances:

1. The aggregate amount involved is not more than Twenty-five Thousand Dollars (\$25,000) [76 Del. Laws, c. 44](#)
2. The purchase or contract is for personal or for professional services;
3. The purchase or contract is for any service rendered by a university, college, or any other educational institution;
4. The purchase or contract is for any service to be rendered by the State of Delaware or any political subdivision thereof;
5. The purchase or contract is for property or services for which it is impracticable to obtain competition;
6. The public exigency as determined by city council will not permit the delay incident to advertising;
7. The purchase or contract is for property or services for which the City Council determines the price received after competitive bidding are unreasonable as to all parts of the requirements or were not independently reached in open competition;
8. A public emergency as determined by the City Manager exists. [62 Del. Laws, c. 290](#); [68 Del. Laws, c. 186](#);
9. Contracts in which the City Council directly contracts for the procurement of labor or material for public improvements for the benefit of a special development district or a tax increment financing district created or designated by the Council. The provision includes a contract between the City Council and an owner of real property located in a special development district or tax increment financing district which provides for the transfer to the City Council from the owner of work performed by and the cost of labor or materials provided by the owner for the benefit of the district. [76 Del. Laws, c. 44](#)

EXISTING

Floating Debt.**Section 37.**

The City Council of the City of Seaford shall have full power and authority to anticipate revenue by borrowing upon the faith and credit of The City of Seaford the sum or sums of, not exceeding Two Million Dollars (\$2,000,000) in any one fiscal year, when, in the opinion of the majority of the said City Council, the needs of the City of Seaford demand it. The City Council may secure such sum or sums of money so borrowed by promissory notes of the City executed by the Mayor and attested by the Secretary of City Council, either with or without the corporate seal of The City of Seaford affixed as is requested by the Bank or persons advancing the money on said notes, and no officer or Councilman shall be personally liable for the payment of such note because it is signed by them as officers or Councilmen of The City of Seaford, and is authorized by the Resolution of the City Council; provided, however, that any sum of money borrowed on the faith and credit of The City of Seaford, as aforesaid, in any fiscal year, shall be paid out of the general funds of the City at the minimum rate of ten per centum (10%) per fiscal year and shall be completely paid at the end of ten (10) fiscal years following the first fiscal year which said money was borrowed with the interest thereon, and no part of the principal or the interest on any borrowing authorized by this Section shall be taxable by the State of Delaware nor any political subdivision thereof. [58 Del. Laws, c. 387](#); [60 Del. Laws, c. 516](#); [64 Del. Laws, c. 4](#); [76 Del. Laws, c. 44](#);

EXISTING