

**AGENDA**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**October 24, 2017**  
**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.
  - Executive Session for personnel and litigation.
  - Changes to agenda for this meeting.
  - Approval of minutes of the regular meeting on October 10, 2017.

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

**CORRESPONDENCE:**

1.

**NEW BUSINESS:**

1. Trisha Newcomer, ED/IT Manager to present a recommendation from the Economic Development Committee recommending a revision to the First Time Home Buyers Realty Transfer Tax code.
2. Present for a first reading an ordinance to amend CHAPTER 18 - REALTY TRANSFER TAX;\_ARTICLE 1 - GENERAL PROVISIONS; §18.1.7; Rate of tax; when payable; exception (D) of the Municipal Code of Seaford, Delaware.
3. Trisha Newcomer, ED/IT Manager to present a recommendation from the Economic Development Committee recommending a potential change to the current sewer extension project along US 13/Middleford Rd. to include extension of sewer to two contiguous properties on Middleford Rd. - TMP# 331-7.00-75.00 BORNEL ENTERPRISES LLC and TMP# 331-7.00-74.00 CUMMINGS MIDDLEFORD RD LLC.
4. Bill Bennett, Director of Electric to report on progress at Pine Street Substation and Distribution Improvements.

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**OLD BUSINESS:**

1. None.

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

1. Downtown Seaford Association Halloween Parade on October 25<sup>th</sup> with line up at Cedar Avenue to SVFD starting at 6:15 p.m. with step off at 7 p.m. If rain activities will be at SVFD at 7 p.m.
2. Sussex County Today and Tomorrow Conference; Wednesday October 25<sup>th</sup>, 2017, Delaware Technical and Community College at 7:15 a.m.
3. Delaware League of Local Govts, Duncan Center, October 26<sup>th</sup>; social 5:30 p.m. with dinner at 6:30 p.m.
4. Seaford Trick or Treat for Halloween, Monday, October 31<sup>st</sup> from 6 p.m. - 8 p.m. Children 12 and under only.

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

**COMMITTEE REPORTS:**

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

**Mayor Genshaw to solicit a motion to hold an Executive Session for the purpose of discussing negotiations.**

**EXECUTIVE SESSION:**

1. Personnel and litigation.

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**Mayor Genshaw reopens the regular meeting and 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: 10/17/17 @ 4:00 p.m.

Posted by: TNT



NB # 1  
10-24-17

## Memorandum

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To: Mayor & Council

From: Trisha Newcomer, Economic Development/Information Technology Manager

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Date: October 19, 2017

RE: First Time Home Buyers Realty Transfer Tax Code change

On Friday, October 13, 2017 the Economic Development Committee met with regard to the discussion and review of the First Time Home Buyers Realty Transfer Tax Code change.

It was discussed that currently the City exempts both the Seller and Buyer from First Time Home Buyers Realty Transfer Tax. Sussex County however, does not exempt the Seller from the transfer tax. Should the City follow the practice of Sussex County, this would provide a revenue source to the City, while being less impactful to the community. The Seller would pay .75% in transfer taxes during the settlement. After collecting data from 2016 for properties sold, the City could have potentially collected an estimated \$45,000.00 in additional revenues from the Sellers of properties sold to First Time Home Buyers.

After much discussion regarding the information above the Economic Development Committee's recommendation is to approve the amendment to Chapter 18- Realty Transfer Tax; Article 1- General Provisions 18.1.7; Rate of tax; when payable; exception (D) of the Municipal Code of Seaford, Delaware, by replacing the existing language with the proposed language as discussed.

NB # 2  
10.24.17

ORDINANCE #20??-0?

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend CHAPTER 18 – REALTY TRANSFER TAX; ARTICLE 1 – GENERAL PROVISIONS; §18.1.7; Rate of tax; when payable; exception (D) of the Municipal Code of Seaford, Delaware, by replacing the existing language with the proposed language as shown on the following page:

	First Reading Date
	Second Reading Date & Adoption
	Advertisement Date
	Effective Date of Ordinance

CITY OF SEAFORD

By: \_\_\_\_\_  
Mayor

Witness: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Manager

D. On transfers where all grantees qualify as first-time home buyers, no transfer tax shall be imposed on the grantee's portion of any transfer tax as defined in § 18.1.7 A. hereof. For purposes of this article, "first-time home buyer" shall have that meaning given in § 18.1.6 A. The first-time home buyer exception shall apply only to the grantee's portion of the transfer tax as defined in § 18.1.7 A. hereof and shall not relieve the grantor from payment of grantor's portion of the transfer tax as defined in § 18.1.7 A. hereof. For purposes of the first-time home buyer exception, grantor and grantee shall be prohibited from contractually modifying the apportionment of the transfer tax as set forth in § 18.1.7 A. to decrease the grantor's portion of the transfer tax. This provision shall apply to all contracts entered into as of January 1, 2018, the effective date hereof.



NB# 3  
10-21-17

## Memorandum

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To: Mayor & Council

From: Trisha Newcomer, Economic Development/Information Technology Manager



Date: October 19, 2017

RE: Potential Change to Sewer Extension Project Along US 13 to Include Additional Portions of Middleford Rd.

On Friday, October 13, 2017 the Economic Development Committee met with regard to discussing a potential change to the current sewer extension project along US 13/Middleford Rd. to include extension of sewer to two contiguous properties on Middleford Rd. – TMP# 331-7.00-75.00 BORNEL ENTERPRISES LLC and TMP# 331-7.00-74.00 CUMMINGS MIDDLEFORD RD LLC.

It was discussed that the Cummings had approached the City in regard to this extension and after discussing it with them, the City felt the need to reach out to Bornell Enterprises, the adjacent property owner between the Cummings property and the Gulf station property. The property owner advised he too was interested in connecting to the City water/sewer after the extension is completed, but wanted to consult with his accountant before committing to anything. It was noted that in order to have the businesses on Middleford Road connect to the sewer extension, they would need to be annexed, as well as pay the costs of the tap and impact fees applicable at the time of connection.

After reviewing the picture of the referenced project, the questions as to whether the extension could proceed down Middleford Road and end west of Riverside Drive was asked by the committee. It would allow more opportunities for businesses to connect to City water and sewer and potentially spur development of the corridor. It was noted the cost would be significantly more expensive but it would pay itself off in the long run and the City would benefit from the growth.

After much discussion regarding the information above the Economic Development Committee's recommendation is to pursue engineering with George Miles & Buhr, to extend sewer to two contiguous properties, as well as cost estimate to take the sewer extension west to Riverside Drive.