

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

March 28, 2023

7:00 P.M.

Mayor Genshaw called the Regular Meeting to order at 7:00 p.m. with the following present: Councilman James King, Councilman Orlando Holland, Councilman Matt MacCoy, Councilman Dan Henderson, Councilman Jose Santos. City Manager, Charles Anderson, Director of Electric, Bill Bennett, Superintendent of Parks & Recreation, Katie Hickey, Building Official, Mike Bailey, Chief of Police, Marshall Craft, and Hooper's Landing Golf Pro, Mike Connor were also present.

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

Mayor Genshaw then solicited any changes to the agenda; there were none. He then called for a motion to approve the minutes of the Regular Meeting on March 14, 2023. Councilman Holland made a motion to approve the minutes of the Regular Meeting on March 14, 2023. Councilman MacCoy seconded the motion. Mayor Genshaw then asked for a vote; all present voted in favor; the motion so passed.

Mayor Genshaw asked if there was anyone present to appeal taxes; there was no one present at that time. Mayor Genshaw stated Formal Real Estate Tax appeals were from 7:00-8:00, and if someone did wish to come forward, the meeting would be paused to hear the tax appeal.

Public Comment

Mayor Genshaw inquired if there were any requests for Public Comment.

Dan Cannon of 411 Nylon Blvd:

Once again, New Business on tonight's agenda worries the heck out of me.

Here we are in the middle of an election for two city council seats in Seaford and the current majority of the City Council along with the Mayor seem intent on making a major change to Seaford's Charter: ELIMINATION OF SPECIAL ELECTIONS/REFERENDA IN WHICH VOTERS MUST APPROVE/DISAPPROVE SOME MAJOR BORROWING AND SPENDING PROPOSALS.

This is a terrible, UNDEMOCRATIC idea and amounts to the ELIMINATION OF PRUDENT AND TIMELY VOTER CONTROL OVER MAJOR BORROWING AND SPENDING.

Make no mistake: timeliness is important. For years I have been told if you don't like what M&CC are doing, vote them out of office. However, this solution to control currently planned borrowing and spending without REFERENDUM approval is virtually laughable, as such, "CONTROL" COULD TAKE YEARS. In contrast the CURRENT REFERENDUM PROCESS COULD STOP EXCESSIVE AND UNWISE BORROWING AND SPENDING BY M&CC IN ITS TRACKS!

REFERENDA requiring voter approval on "Pocketbook" issues would virtually mandate that supporters on the City Council justify the proposal to the community based on its merits, not something five people voting at one meeting need be worried about if the Charter change were to be approved.

There remain glaring DEFICIENCIES in the amended proposal including:
No REFERENDUM to win voter approval; approval would be by FIVE people; no borrowing limits;
no specification of/limitation on “critical” needs; no specified borrowing caveats** from the revolving
loan funds.

Simply put, this ill-considered proposed change in the City of Seaford’s Charter would take
significant power to borrow and spend unlimited funds out of the hands of voters and put that
power in the hands of just five (5) individuals on the City Council.

THIS ACTION WOULD BE IMPRUDENT, UNDEMOCRATIC and FISCALLY UNWISE especially in
light of existing City of Seaford plans to borrow and spend MILLIONS
on Wastewater Treatment (WWT) upgrades and expansion, likely using state/federal revolving loan
funds. Whether all the WWT plans are “critical”/necessary or not, the current proposal to eliminate
voter approval by REFERENDUM would allow the five (5) members of City Council unlimited
borrowing and spending approval power. THERE WOULD BE NO ELECTIONS IN TIME TO STOP
SUCH ACTION.

Therefore, the current proposal to eliminate voter approval for borrowing and spending through
REFERENDUM is a step in the WRONG direction for Seaford.

The “VOICE” in Seaford should reflect the will of 5000 not just 5 voters.

Therefore, the proposed Charter changes should be rejected outright tonight.

Jay Milligan of 1 Crossgate Drive:

Mr. Milligan came forward and expressed his concern with New Business #4. He noted that while
he trusts the sitting elected officials and City Staff with public spending, he understands the
makeup of the Council could change after the upcoming election. He stated that he understands
the need for certain contingencies in the event of an emergency; however, he feels the proposed
charter changes should include a cap on the amount of spending the Council can approve without
a referendum. Mr. Milligan requested more clarity this evening on why the City feels this change is
necessary and more prudent consideration to cap the amount of debt the Council may approve
without a vote from the public.

Mayor Genshaw then verified there was no one else who would like to present a public comment.

Correspondence

There was none.

Mayor Genshaw closed the Regular Meeting and opened the Public Hearing at 7:06 p.m.

Public Hearing

Mayor Genshaw presented Public Hearing Item #1: Brad Taylor is requesting a final site plan review for the construction of three buildings to be built on Venture Drive, Tax Map and Parcel #331-5.00-4.22, to include a medical office, auto repair shop and warehouse space.

Building Official Mike Bailey presented the request for a final site plan review for the construction of three buildings on Venture Drive. The proposal consists of 9,600 sq. ft. for the Auto Repair Building, 6,400 sq. ft. for the Medical Building, and 5,400 sq. ft. for the Warehouse. The proposal will require additional approvals from State Fire Marshal (Received), Sussex Conservation District (Received), and City Engineer for stormwater.

Mayor Genshaw solicited any questions from Council. Councilman Henderson noted the recently approved changes to zoning requirements, which would ban the sale of medical marijuana for properties zoned C-3. He asked what affect that regulation has on this property? Building Official Mike Bailey explained the site is zoned M-1, and is intended to house a physician's office

City Manager Anderson responded that the zoning changes Council made last year effected C-3 zoning ordinances and strictly prohibits the sale or distribution of marijuana in any form.

Councilman Henderson then stated that he doesn't want to offer a wedge or door opener which could proliferate the sale of marijuana throughout the city by only limiting this restriction to areas zoned C-3.

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

Mayor Genshaw solicited any questions from the Public; there were none.

Mayor Genshaw presented Public Hearing Item #2: KRM-Seaford 1 LLC., is requesting a final site plan review for the construction of two (2) 70,000 sq. ft. one-story buildings with paved parking and loading docks to be located at Lot 1, Opportunity Drive, Tax Map and Parcel #331-5.00-4.29.

Building Official Mike Bailey presented the request of the final site plan review for the construction of two one-story buildings with paved parking and loading docks. The site plan includes two 70,250 square foot, one-story buildings with 187 paved parking spaces (141 required) and loading docks. The proposed site plan does meet area and bulk requirements for M-1 zone. Stormwater Management for the Western Sussex Business Campus is to be managed by a regional stormwater management facility within the Business Campus. The Stormwater Management Report for this identified impervious coverages for each lot included in the project. If a future development project, proposes to exceed the previously accounted for impervious coverage, the future development must provide on-site, stormwater management for the additional impervious proposed, prior to discharging to the on-site regional stormwater management facility. There are set discharge limits to each catch basin to prevent overload to the stormwater pipes. Future development projects shall endeavor to meet these requirements or, if unable, may be required to further study, and implement improvements to the regional pond or other measures to allow proper functioning of the stormwater system of the City.

The proposal will require additional approvals from State Fire Marshal (Received), Sussex Conservation District (Received), and City Engineer for stormwater.

Mayor Genshaw solicited any questions from Council; there were none.

Mayor Genshaw solicited any questions from the Public; there were none.

Mayor Genshaw then closed the Public Hearing portion of the meeting and reopened the Regular Meeting at 7:14 p.m.

Building Official Mike Bailey then presented the Findings of Facts for Public Hearing Item #1:

- Findings of Facts:
 - Brad Taylor
 - Located on Venture Drive
 - Tax Map and Parcel #331-5.00-4.22
 - Requesting a preliminary site plan review for the construction of three buildings which include a medical office, auto repair shop and warehouse space.
 - (1) 9,600 sq. ft. auto repair building
 - (1) 6,400 sq. ft. medical building
 - (1) 5,400 sq. ft. warehouse
 - Proposed 51 parking spaces (51 req.)
 - Mr. Taylor received a variance for the auto repair use in 2020 and another for the medical use in 2022.
 - Project meets area and bulk requirements for M-1 zone.
- Requires approval from:
 - State Fire Marshall (Received)
 - Sussex Conservation District
 - City Engineer for stormwater
- Planning and Zoning made a favorable recommendation to Council (March 2, 2023).

Mayor Genshaw then called for a motion. Councilman Holland made a motion to approve the request of Brad Taylor for a final site plan approval for the construction of three buildings to be built on Venture Drive, Tax Map and Parcel #331-5.00-4.22, to include a medical office, auto repair shop and warehouse space as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Holland voted yes based on the findings of facts;

Councilman MacCoy voted yes based on the findings of facts;

Councilman King voted yes based on the findings of facts;

Councilman Henderson voted yes based on the findings of facts;

Councilman Santos voted yes based on the findings of facts;

The motion so passed.

Building Official Mike Bailey then presented the Findings of Facts for Public Hearing Item #2:

- Findings of Facts:
 - KRM-Seaford 1 LLC.
 - Located on Opportunity Drive in western Sussex Business Campus
 - Tax Map and Parcel #331-5.00-4.29
 - Zoning M-1 Light Industrial
 - Requesting a preliminary site plan review for the construction of two (2) 70, 250 sq. ft. one-story buildings with paved parking and loading docks.
 - Proposed 187 parking spaces (141 req.)
 - Meets area and bulk requirements for M- 1 zone
 - Stormwater Management for the Western Sussex Business Campus is intended to be managed by an on-site regional stormwater management facility within the Business Campus.
 - The Stormwater Management Report for this project identified certain impervious coverages for each lot within the project. If a future development project proposes to exceed the previously accounted for impervious coverage, the future development must provide on-site stormwater management for the additional impervious proposed, prior to discharging to the on-site regional stormwater management facility. There are set discharge limits to each catch basin to not overload each stormwater pipe. Future development projects shall endeavor to meet these requirements or if unable, may be required to further study and implement improvements to the regional pond or other measures to allow proper functioning of the stormwater system of the City.
- Requires approval from:
 - State Fire Marshall (Received)
 - Sussex Conservation District (Received)
 - City Engineer for storm water
- Planning and Zoning made a favorable recommendation to Council (March 2, 2023).

Mayor Genshaw then called for a motion. Councilman Holland made a motion to approve the request of KRM-Seaford 1 LLC. for a final site plan review for the construction of two (2) 70,000 sq. ft. one-story buildings with paved parking and loading docks to be located at Lot 1, Opportunity Drive, Tax Map and Parcel #331-5.00-4.29 as presented. Councilman Santos seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Holland voted yes based on the findings of facts;
Councilman Henderson voted yes based on the findings of facts;
Councilman Santos voted yes based on the findings of facts;
Councilman King voted yes based on the findings of facts;
Councilman MacCoy voted yes based on the findings of facts;
The motion so passed.

New Business

Mayor Genshaw presented New Business Item #1: Present for approval a request to eliminate a portion of on street parking on the east side of Hall Street in front of 555 N. Hall Street.

Chief Marshall Craft came forward and made the recommendation to paint the curbing yellow "No Parking" directly in front of Heritage Jewelers, located on the east side of Hall Street from the south side of their entry to their southern property line.

The owner of Heritage Jewelers notified the city that customers could not see while attempting to exit their parking lot due to the parking of tractor-trailers in front of their store.

Chief Craft explained that Hall Street, from West Stein Highway to the south edge of Heritage Jewelers is classified as a commercial zone. Tractor-trailers often park on the northbound side of Hall Street, in front of Heritage Jewelers, which is reportedly causing the stated traffic safety concern. On-site observation and a review of the city ordinance confirmed the zoning and traffic safety concerns.

Mayor Genshaw solicited any questions from Council.

Councilman Henderson proposed the Council look to modify the code related to parking and restrict over-night parking for 18-wheeler vehicles. He noted the ordinances should be changed throughout the City, and not just in front of Heritage Jewelers. Chief Craft stated the yellow line could be extended; however, Tractor-trailers are authorized to park in commercially zoned areas.

Councilman Henderson stated he believes this request will likely cause more problems and requests elsewhere. Chief Craft stated a crash study could help establish a need for changes to existing parking regulations.

Councilman Henderson proposed Council agree to a temporary measure instead of making this request permanent.

Councilman King asked who receives the citation or ticket if there is a parking violation.

Chief Craft explained the owner or the vehicle receives the ticket. A citation goes on vehicle's window, and the citation is attached to the vehicle's plate number. If the driver is stopped by law enforcement the officer would see the outstanding citation. Chief Craft did note he believes the city should perform a review of the existing codes.

With no other questions, Mayor Genshaw then called for a motion. Councilman Henderson made a motion the request to eliminate a portion of on street parking on the east side of Hall Street in front of 555 North Hall Street as presented. Councilman King seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Henderson voted yes;

Councilman Santos voted yes;

Councilman King voted yes;

Councilman MacCoy voted yes;

Councilman Holland voted yes.

The motion so passed.

Mayor Genshaw presented New Business Item #2: Present for approval a request to place an order for sixty (60) new golf carts for the Hooper's Landing Municipal Golf Course with an estimated delivery time in the Summer of 2024.

City Manager Anderson stated that the budget for the golf carts is \$400,000.00 without the trade-in of the existing fleet. The City estimates the cost would drop by approximately \$100,000.00 with trade-in of the existing fleet. He noted that as of March 23, 2023 the balance available in the reserve fund for the golf course is \$694,505.00. He also noted Staff believes the gas-powered carts would be preferable due to their durability and reduced cost, compared to the lithium battery electric carts. The City hopes to have delivery of the new golf carts by the summer of 2024.

City Manager Anderson asked if Gold Pro Mike Connor had anything to add. Mr. Connor noted the need to expedite the order of these carts is due to the 12 to 18 month backorder time frames reported by several major suppliers.

Mayor Genshaw Solicited any questions from Council; Councilman King asked for confirmation on his recollection that the City recently purchased carts for Hooper's Landing from another golf course. Mr. Connor confirmed and noted the 2015 electric carts used at the golf course now were purchased two years ago from The Rookery.

Councilman King asked for specifications on the existing fleet of carts used by Hooper's Landing. Mr. Connor explained there are currently 64 carts, with 4 being used by management.

Councilman King asked if the existing carts were at the end of their life cycle. Mr. Connor explained the 2015 and the 2016 models already have their second round of batteries; however, the concern is more for the condition of the frame and chassis, which they continue to have issues with.

Councilman King asked if the managing firm for Hooper's Landing would be contributing anything toward the cost of the new carts. City Manager Anderson explained that based on the agreement with Adkins Management, purchase of the golf carts would fall under the City of Seaford's scope of responsibility.

Councilman Henderson stated he understands the need to purchase new carts but expressed concern the state may mandate that these vehicles be electric.

City Manager Anderson responded by stating the new class of electric golf carts are lithium-ion battery operated, and pricing for electric-powered carts would likely increase the cost by more than \$100,000.00.

Councilman Henderson stated that legislatively we could be forced to buy electric cars.

City Manager Anderson noted if we do receive the new fleet in 2024 and the legislation does not require implementation until 2030, Hooper's Landing would get six (6) years of use out of the golf carts. He suggested purchasing gasoline golf carts for another year or two and then evaluate the technology requirements and vendor pricing.

Mr. Connor added that gas-powered golf carts are currently more efficient than the electric options.

Councilman MacCoy asked if it is wise to purchase electric carts over the gas-powered option. City Manager Anderson explained the legislation is likely not going to outlaw all second-hand market vehicles; however, the city can certainly monitor the progress of that legislation.

Councilman MacCoy asked if it is more cost-effective from a resale standpoint to purchase the electric golf carts now, as opposed to the gas carts. City Manager Anderson responded there is no insight on that right now.

Councilman Holland asked if there is an on-site tank for refueling the gas-powered carts. Golf Pro Connor answered yes but explained that a larger tank may be needed in the future.

Councilman MacCoy asked if there were any grant opportunities available. City Manager Anderson explained he is unaware of any grant opportunities, as Hooper's Landing is a for-profit business.

Mr. Connor noted that if there are any grant opportunities, the reps will push for that.

City Manager Anderson added that if the Council wishes to issue for a bid for gas or electric (lithium-ion battery carts) and then evaluate the price, that can be done.

With no other questions from Council, Mayor Genshaw called for a motion. Councilman Henderson made a motion to approve the request to replace sixty (60) golf carts for the Hoopers Landing Municipal Golf Course, with a prime bid for gas powered and an alternate bid for electric operated golf carts, with an estimated delivery time of Summer 2024 as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw presented New Business Item #3: Present for approval a request from Berley Mears, Director of Public Works, to spend remaining ARPA (American Rescue Plan Act) funds on the renovations to the Pine Street Lift Station.

Director Mears explained the lift station renovation project would consist of a complete station rehabilitation, new pumps, and new pump control panel. Director Mears estimated the cost to perform renovations to the Pine Street Lift Station would be approximately \$300,000.00 for the construction and \$32,800.00 for the engineering.

There is currently \$378,749.00 in the contingency/undesignated category which hasn't been assigned to any project. There is also \$129,000.00 from the Route 13 Sewer Main Extension Project, as the project came in under budget. This puts the total for these two items at \$507,749.00.

Director Mears explained that with the long lead times for equipment and with funding already secured, he would like to start the engineering now so the City can move forward with the project as soon as possible.

Mayor Genshaw solicited any questions from Council; Councilman Henderson recommended that any ARPA funds left over from the project be used for the replacement of inactive fire hydrants throughout the City.

With no other questions, Mayor Genshaw then called for a motion. Councilman King made a motion to approve the request of Berley Mears, Director of Public Works, to spend remaining ARPA funds on the renovations to the Pine Street Lift Station as presented. Councilman Holland seconded the motion.

Mayor Genshaw presented New Business Item #4: Present for approval draft changes to Section 35 of the City of Seaford Charter that would authorize the City Council to allow short or long-term debt incurred from state or federal government revolving loan funds to be exempt from the special election requirements in section 35 of the Municipal Charter.

City Manager Anderson stated there are changes to Section 35 of the City of Seaford Charter. He read the following proposed addition to the clause:

"Council shall be authorized to allow short or long-term debt incurred from state or federal government revolving loan funds for critical water, sewer, stormwater, and wastewater treatment facilities to be exempt from the special election requirements set forth in Section 35 of this Charter. To exercise the power aforesaid, after two (2) Public Hearings related to the debt to be incurred, the council shall adopt a resolution to that effect by the affirmative vote of five (5) of the members of council. The indebtedness created under this provision shall be evidenced by notes or bonds of the city, and the full faith and credit of the city shall be deemed to be pledged thereby".

Mayor Genshaw solicited any questions from Council; Councilman King asked if there is a two-year waiting period to put an item back on the referendum. City Manager Anderson confirmed.

Councilman Henderson noted that while he truly understands the concerns expressed by residents opposed to the change, he expressed his fear that if there were to be a critical system failure and

approval for spending went through the referendum process and failed, then the City could incur fines for non-compliance. This issue could result in a double in costs to the taxpayers. He noted here should be a minimum of two public hearings until taxpayers are fully educated about what the needs are, what a project will cost, and what the cost could be if there is no action.

Councilman Santos asked for examples of other referendums that failed, or other instances where a referendum process was used.

City Manager Anderson stated if the city falls out of compliance, there can be daily fines, but Staff will do everything possible to avoid that. The Wastewater Treatment Facility is 25 years old and in need of improvements to equipment used to maintain critical infrastructure. He noted a lot of the city's lift stations are located near bodies of water, and without the necessary upgrades, wastewater overflows could end up in those waterways. He also noted the loss of public confidence that would follow an incident of this nature.

City Manager Anderson also noted the Charter does have debt limits in place. He then read the following section, verbatim, from the City's Charter:

"The bonded indebtedness shall not at any time exceed in the aggregate the total sum Twenty-five (25) percent of the value of the real property situate within the limits of the City as shown by the last assessment preceding the creation of the said indebtedness".

Councilman Santos asked what the ballpark figure for those limits would be. City Manager Anderson stated he did not have an exact amount. Credit Manager Kathy Anger estimated the value of real property within city limits is over \$100 million.

Councilman Santos noted that while he is concerned the proposed changes would take power away from residents, he would also hate to tie the hands of future members of Council with regard to decisions on critical infrastructure.

Councilman King asked for confirmation that the city's halo is \$3 million. City Manager Anderson confirmed and explained the Charter allows debts up to \$3 million without the need for a referendum.

With no other questions, Mayor Genshaw called for a motion. Councilman Santos made a motion to approve the draft changes to Section 35 of the City of Seaford Charter that would authorize the City Council to allow short or long-term debt incurred from state or federal government revolving loan funds to be exempt from the special election requirements in section 35 of the Municipal Charter as presented. Councilman King seconded the motion.

Mayor Genshaw then asked for a roll call vote:

Councilman Santos voted yes. Stating he wants future Mayor and Council to have the power and authority to be able to make decisions where time is of the essence in regard to critical infrastructure;

Councilman King stated with the cost of goods and services continuing to rise, the current halo of \$3 million is not enough in certain situations. There are some situations that arise which may need immediate and swift action and cannot wait for a referendum. One example is the Dulaney Street Well. Councilman King voiced his full support for this necessary change and therefore voted yes;

Councilman MacCoy voted yes; stating he believes this Council and previous Councils have shown the ability to be good stewards of taxpayer dollars and for the City of Seaford to make proper decisions;

Councilman Holland voted yes, stating he believes that we cannot control unforeseen measures or changes;

Councilman Henderson voted yes based on the changes made to the Charter request because it will allow future Council to make important decisions on critical infrastructure.

The motion so passed.

Mayor Genshaw presented New Business Item #5: Bids –Front Mount Mower with Snow blower attachment.

Superintendent Katie Hickey stated the city received two bids for the Front Mount Mower with Snow blower attachment. The first bid was received from Atlantic Tractor, LLC in the amount of \$26,758.18. The second was from Taylor & Messick Inc., in the amount of \$23,000.00. Ms. Hickey recommended the low bidder, Taylor & Messick for the front mount mower with snow blower attachment.

Mayor Genshaw solicited any questions from Council; there were none.

He then called for a motion. Councilman Holland made a motion to award the bid for the Front Mount Mower with Snow blower attachment to Taylor & Messick, Inc., the low bidder, in the amount of \$23,000.00 as presented. Councilman MacCoy seconded the motion. Mayor Genshaw then asked for a vote, all those present voted in favor.

Mayor Genshaw presented New Business Item #6: Present for approval a request from Bill Bennett, Director of Electric, to place an order for electrical transformers with an estimated delivery time of Spring of 2024.

Director of Electric Bill Bennett came forward and requested permission to bid or utilize Sourcewell to order nine (9) three-phase pad mounted transformers and receive pricing on eight (8) single-phase pad mounted transformers prior to budget approval. Delivery time after order on transformers is 30–50 weeks, and if required to wait until after the budget is approved, the order could be delayed an additional 14 weeks.

Director Bennet then detailed the transformers included in the request. He noted that some of the transformers are eligible for competitive pricing, as they are under the amount that would require them to be put out for bid.

Mayor Genshaw solicited any questions from Council; Councilman Holland asked what the life span for an electrical transformer is. Director Bennett stated they typically last 40 years, depending on the load.

With no other questions, Mayor Genshaw then called for a motion. Councilman MacCoy made a motion to approve the request from Bill Bennett, Director of Electric, to place an order for electrical transformers with an estimated delivery time of Spring of 2024, as presented. Councilman Holland seconded the motion. Mayor Genshaw then asked for a vote, all those present voted in favor.

Mayor Genshaw presented New Business Item #7: Present for approval a request to fund the additional costs in excess of grant funding for the Police Department fencing project.

Chief Craft stated that the Seaford Police Department was awarded a grant through DEMA in the amount of \$90,000.00 for a perimeter fence and automated gates around the perimeter of the Police Department. Two (2) quotes were received for the project. The first from Seagull Fence in the amount of \$98,852.00. This quote did include the entire scope of work. The second quote was received from Nanticoke Fence in the amount of \$83,500.00; however, it did not include the entire scope of work. The scope of work includes removal of the existing fencing, costs for materials, equipment, manpower, and services required to install a perimeter security fence and (2) automated gates.

A second request for quotation was sent out to Nanticoke Fence on March 16th; however, the Police Department has yet to receive a response. The recommendation is to hire Seagull Fence and ask Council to authorize the City Manager a 20% overage.

Mayor Genshaw solicited any questions from Council;

Councilman King noted the bid from Nanticoke Fence came in \$15,000.00 under Seagull Fence, but it doesn't cover the security gates. Chief Craft explained it's difficult to know if contractors will have additional costs as the project progresses.

Councilman King asked if Seagull Fence is ready to go and can start working on this project immediately. Chief Craft stated that the Seagull Fence has met the complete scope of work and is all-inclusive.

Councilman King then asked about the turn-around time for the project. Chief Craft explained that should Council approve the motion tonight the quotes would be sent to DEMA, who makes the ultimate decision on which company to use. That approval process takes 30 days.

Councilman MacCoy asked for clarity on the request for a 20% overage. Chief Craft explained that unforeseen expenses may arise, that are not included in the quote, and the city needs to account for that possibility.

Councilman MacCoy then asked if the project does go over the requested amount, if it will need to come back to Council. City Manager Anderson confirmed.

With no other questions, Mayor Genshaw called for a motion. Councilman Henderson motioned to approve the request to fund the additional costs in excess of grant funding for the Police Department fencing project as presented. Councilman MacCoy seconded the motion.

Mayor Genshaw presented New Business Item #8: Mayor Genshaw to present appointments for the Election Officers for the 2023 Municipal Election.

Mayor Genshaw stated the request is to approve the appointment of two (2) Election Officers; Jeffrey Stevenson or 602 Pond Street and Elizabeth Carmody of 317 Hickory Lane.

Mayor Genshaw solicited any questions from Council; there were none. He then called for a motion. Councilman Holland motioned to approve the appointments for the Election officers for the 2023 Municipal Election. Councilman MacCoy seconded the motion. Mayor Genshaw then asked for a vote, all those present voted in favor.

Old Business

There were none.

Reminder Of Meetings & Setting New Meetings:

- Annual Easter Egg Hunt, Saturday, April 1st, at 9am at the Seaford Sports Complex, 490 N Market Street Ext.
- Annual "Light It Up Blue" Autism Awareness Event, Monday, April 3rd, at 6pm in Gateway Park.

CITY OF SEAFORD

Municipal Election – Saturday April 15, 2023

The City of Seaford Municipal Election will be held on Saturday, April 15, 2023 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.

Two (2) Council Members will be elected for a (3) year term.

All candidates must have filed by 5:00 p.m., E.S.T., Friday, February 24, 2023. Registration can be completed at City Hall, 414 High Street, Seaford, DE. Registration hours are Monday through Friday, 8 a.m. until 5:00 p.m. or by appointment if you cannot register during these

normal business hours. Any candidate who withdraws his/her name must do so in writing. Any candidate who withdraws his/her name after 5:00 p.m., E.S.T., February 24, 2023 will still appear on the official ballot for election.

To be eligible to vote, anyone eighteen (18) years of age or older who is a bona fide City of Seaford resident and US Citizen **must have been registered at the State of Delaware Department of Elections by 5:00 p.m., E.S.T. on Friday March 24, 2023.**

Nonresident property owners must be owner of record for a period of six (6) months immediately preceding the date of the Annual Municipal Election (October 16, 2022) and shall have one vote **provided he or she is registered on the “Books of Registered Voters” maintained at the City Hall by 5:00 E.S.T. on Friday, March 24, 2023. 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.**

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.

- ❖ **Councilman Jose Santos has filed for reelection.**
- ❖ **Mike Bradley has filed for Councilman.**
- ❖ **Councilman Dan Henderson has filed for reelection.**

Councilman Santos reported on Administration & IT.

MEETINGS:

- Met with the City Engineer and KRM's consultant regarding storm water accommodations at the Western Sussex Business Campus Development.
- Attended a Drinking Water sub-committee meeting.
- Attended the City Council meeting.
- Attended Staff Meeting.
- Attended the station meeting at Seaford PD.

OTHER WORK:

- Prepared the Council agenda and Executive Session materials.
- Attended the mower bid opening.
- Walked through the Seaford Community Pool to look at proposed improvements.
- Met with a developer proposing to develop R-3 property into subsidized housing.
- Attended the construction coordination meeting.

INFORMATION TECHNOLOGY REPORT:

- Purchased new licenses and upgrades for camera software.
- Purchased additional SSDs for storage server space.
- Assisted with office rearrangements.
- Began work to splice and restore functionality to east fiber loop.
- Worked with Electric Department to install security cameras.

- Routine calls for technical assistance.

ADMINISTRATION REPORT FOR COUNCIL:

- Attend contract negotiation meetings for IBEW Local 126 and review contract documents.
- Prepare for FY'24 Budget.
- Attend PD station meeting – present 25-year service award to D.C. Rapa
- Preparing for Customer Service Coordinator, Jeanne Sapp, retirement.
- Training with Accounting Coordinator.
- All other business is routine – financial management, payroll & benefits, purchasing, billing, customer service, etc.

Councilman Henderson reported on Police & Fire.

SVFD Fire Chief John Wilson's report:

Fire Statistics

Month / Year	Calls to date	Call per day
Total 2023	224 calls	2.6
March 2023	70 calls*	2.5

*Call per day so far in month

EMS Statistics

Month / Year	Calls to date	Call per day
Total 2023	934 calls	10.8
March 2023	286 calls*	10.5

day so far

*Call per
in month

Total

Department Responses

Month / Year	Calls to date	Call per day
Total 2023	1158 calls	13.4

Other Statistics

Response	FIRE/Year	EMS /Year	Total/YEAR 2023
In City	112	479	591
Out of City	64	413	477
Assist	22	42	64
Total	189	934	

All Fire responses are not up to date until QA of reports at end of month.

Significant Incidents:

03/16/23; (Out City) 20573 Coverdale Road, Out Buildings on Fire
03/18/23; (Out City) 21582 Mill Park Drive, Camper with extension on Fire
03/20/23; (Assist 81) 28438 Seaford Road, Structure Fire
03/23/23; (City) 514 Juniper Street, Apartment fire, Portable Heater with Extension.
03/24/23; (Assist 81) 7202 Airport Road. Structure Fire

Apparatus Status:

Ladder 87 – Still repairing DOT Issues, Parts are delayed

B87 – at Wayside for body repairs

A87- at Blue Hen Springs for Suspension issue.

Brush 87 – At a local dealership for troubleshooting fault codes.

Next Training:

Wednesday, April 5. April 19, and May 7 at 1900 hours, Station 87, DSFS Rope Rescue 1 Class

Saturday, April 22, 2023, at 0800, Scheduled Live Fire Burn on Neal School Road

Emergency Medical Services:

A87 found to have loose "U Bolts" for the rear and needs bushings

B87 just awaiting paint booth at this point with wayside and should be back by Friday

Still borrowing Blades B71 as "A87"

FF/EMT Positions are still open - One Application should be coming in soon

Part Time EMT's still needed

Jennifer Tunis (EMT) started part time in the FTO process. Comes with little experience in 911, works full time in non-emergency transports

Career Staff and Members have completed active assailant training with DSP in Dover.

News and Events:

3/18/2023; Chief Wilson attended the Gemstone Ball at Atlanta Road Alliance Church. SVFD also had (1) EMT on Medical Standby for this event.

3/20/2023; Rescue 87 went to Station 81 to share our new Holmatro rescue tools with them for training.

3/22/2023; Chief Wilson attended Active Shooter training with DSP at Blue Hen Mall. All the Career Firefighter /EMT's participated on other days.

3/23/2023; Chief Wilson provided a presentation to Delaware State Fire Chiefs at Station 85 Milton about the Harrington Street Fire in October 2022

3/26/2023; Firefighter Kevin Brown took E872 to a Drive by Birthday for Ryker

Seaford Police Department

Police Activity during period of Sunday, March 13, 2023 – Sunday, March 26, 2023 as reported by Chief Marshal Craft, Jr.:

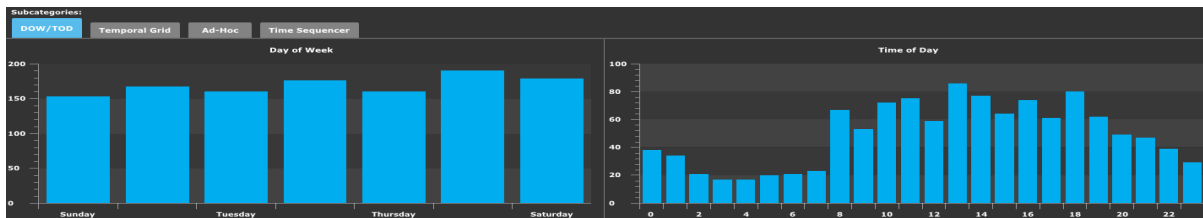
INCIDENTS	2023 YTD	2022	2021	2020	2019
TOTAL COMPLAINTS	2,545	9,593	10,686	10,141	13,865
All crimes	1,185	6,164	6,107	5,803	6,619
Burglary	30 (12 TFV)	197	133	175	123
Robbery	7	8	14	9	12
Sex Offenses	4	18	30	39	32
Drug Crimes	100	444	416	199	249

Overdose	5	31	26	26	25
All Traffic (E-Tickets)	1,587 (495)	8,168 (2,105)	8,098 / (2,021)	7,770/ (1,448)	7,819 (1,782)
All DUI	22	79	71	44	42
All Crashes	161	656	620	533	584
False Alarms	91	546	521	426	494

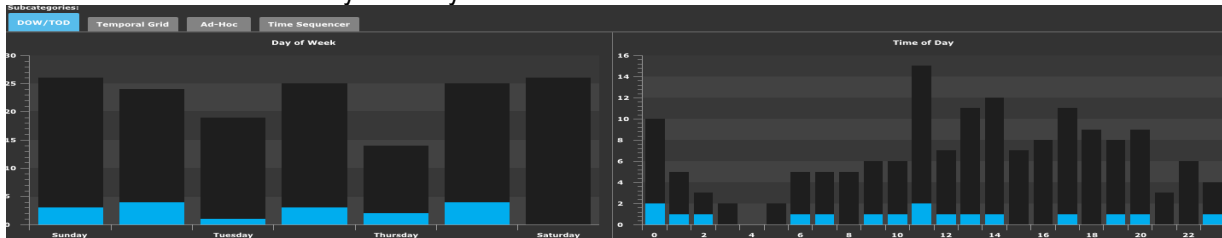
Note. SPD has not been dispatched to medical events since October 2019, which reduced the assigned complaints.

Criminal

- All crimes: **159** (defendants: **15** adults & **1** Juvenile)
 - Felony: **12**
 - Misdemeanor: **28**
 - Violations: **3**
 - Civil: **1**
 - Other: **115**
- **84% Clearance Rate** (overall= **12** PA and **13** PI) Friday & Saturday from 0800-2200. (See Crime Chart Below)



Additional Crime Data below: There were a total of **17 complaints** consisting of Aggravated Assault, Assault, Fraud, Larceny, Sex offense, and Weapon: (**8** Felony and **9** Misdemeanors); Excludes Shoplifting: (**18% clearance rate**): **8** PA, **6** PI, **2** A/A, **0** J/A, **1** E/C, and **0** U/F. Most incidents occurred on Monday & Friday from 0600-1400.



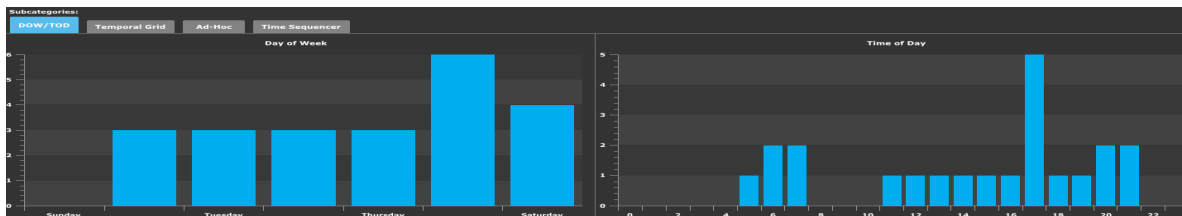
Drug Complaints:

- Drug Crimes: **12**
 - Adult Arrest: **9**
 - Juvenile Arrest: **0**
 - Pending Active: **0**
 - Pending Inactive: **0**
 - Prosecution declined: **3**
- Search Warrant(s): **1** S/W and **1** S/W assist

- Overdose: **0**

Traffic:

- Contacts/Citations: **218** traffic contacts resulting in **100** citations and **14** warnings
- DUI: **2** (1-Alcohol & 0-drug related) *0 - **Crash related**
- Crashes: **22**
 - Fatal: **0**
 - Injury: **3** (Water St. S/W S. Market, Sussex Hwy & Tharp rd., and Sussex Hwy N/O High St)
 - Non-Reportable: **6**
 - Reportable: **13**
 - **Additional Information: Driver Inattention – the primary cause of accidents**
 - Hit & Run: **6** (Private Prop x2 (Lowes and off Front); Dutton Ave S/O Front, Sussex Hwy & Norman Eskridge Hwy x3.
 - Bicycle: **0**
 - Motorcycle: **0**
 - Pedestrian: **0**
 - Alcohol/drug-related crash: **0** (DUI related)
 - Incidents: Friday & Saturday from 1100-2100 (**See Crash chart below**)



Significant Events: All suspects/defendants are considered innocent until proven guilty.

- 03/15/23, SPD investigated a **Violation of Privacy allegation**. Investigation revealed the victim took her cellular phone to T-Mobile, located in city limits, for repair, and defendant Samuel Yoon, an employee of T-Mobile, illegally obtained sexually explicit videos from the victim's phone. The defendant was arrested and released on an unsecured bond and T-Mobile reported that the defendant has since been terminated, 71-23-2160. T
- 03/16/23, SPD officer conducted a traffic stop at Front St. and Walker St. on a red VW Jetta, operated by defendant Orlando Bland, who had an active warrant out of the Court of Common Pleas. Further investigation revealed the defendant was in **possession of 2.84 grams of crack cocaine** and a small amount of marijuana. The defendant was arrested for related charges, arraigned, and released on an unsecured bond, #71-23-2190.
- 03/16/23, SPD attempted to conduct a traffic stop on a vehicle with two occupants. The registered owner, defendant Nathaniel Carter, had a suspended driver's license. The **vehicle driver failed to stop at command**, which initiated a vehicle pursuit. Trooper 2, K9, and other units were requested. The vehicle came to a stop on Roosevelt Street, near

Gum Branch Road, where the occupants attempted to flee on foot. Carter was apprehended and the other occupant, identified as 'TWIN' NFD was not. Further investigation resulted in the **seizure of 3.6 grams of crack cocaine; 16 bags of heroin; 2.5 grams of marijuana and a 9mm Smith & Wesson handgun**. Carter was charged with CCDW, PFDCF, PDWBPP, PWID, Resisting arrest, Tampering with physical evidence, Conspiracy, and other related charges. Carter was arrested, arraigned, and released on a \$7,400.00 unsecured bond, #71-23-2217.

- 03/17/23, SPD responded to a **large fight** located on Front St. ext. Investigation revealed that the defendant, Konyae Kellam, displayed a firearm during the fight. Based on witness statements at the scene, warrants were obtained against Kellam for the following charges: **PFDCF and PFBPP and disorderly conduct**. On 03/27/23, Kellam was arrested on active arrest warrants, video arraigned before JP Court #2, and committed to SCI in default of a \$70,000.00 cash bond. It should be noted that Kellam was also out of jail pending a pretrial investigation, when this incident occurred, which was also related to a weapons charge, #71-23-2255.
- 03/19/23, SPD dispatched to Robinson Circle for a disorderly subject. Investigation revealed that the defendant, Roger Bullock, was intoxicated, had tampered with a victim's vehicle by **writing racially degrading notes on the vehicle, and had also exposed himself**. Ultimately, Bullock was arrested and charged with a Hate Crime, Lewdness, and Disorderly conduct and was committed to SCI in default of a secured bond, #71-23-2309.
- 03/19/23, SPD dispatched to Tidal Health regarding a **stabbing** victim. Investigation revealed the victim had engaged in a fight, near a church, and that he had been stabbed twice in the back. The victim refused to advise why he was in a fight, who he was in a fight with, and/or where it occurred. The case is pending active, #71-23-2293.
- 03/21/23, SPD assisted DSP with a **drug search warrant** located at the 300 block of North Street. Two defendants were arrested, and one handgun was seized along with illegal drugs, #71-23-2364.

Admin:

- Attended Director, Staff, Liaison, and Council meetings as scheduled - Chief
- 03/14/23: Delaware Association of Chiefs of Police meeting - Chief

Event:

- 03/15/23 and 03/22/24: Citizens Police Academy (Criminal Investigations /Ground Fighting Tech and VirTra Training scenarios) - SPD staff. **Note: CPA graduation is Wednesday, April 05, 2023**
- 03/23/23: Funeral Services for a beloved staff member.

Training/Other:

- 03/13/23-03/17/23: State Certified Instructor Course – Sgt. Justice and Cpl. Palm

Total Criminal Arrests:

Arrests YTD	2023 Total	2023 Adult	2023 Ju v	2022 Total	2022 Adult	2022 Ju v	2021 Total	2021 Adult	2021 Ju v	2020 Total	2020 Adult	2020 Ju v	2019 Total	2019 Adult	2019 Ju v
Total	121	105	16	630		571	5986	511	75	499	428	71	653	577	76

Councilman Holland reported on Code & Parks and Recreation.

Code Department Report

- Issuing permits (83 Issued in 2023)
- Rental Licenses (1,749 Issued)
- Rental inspections being completed for 2023.
- Rental license late fees were sent out on Feb 1.
- Doing routine inspections for on-going projects
- Doing violation inspections throughout City
- Performing plan reviews for new permits

Large project status's

- Mearfield 2 –4-Unit townhouses are being completed.
- Mearfield 1 Phase 3 – Paving should begin this week. Permits issued to Ryan homes for 3 lots.
- East Park Business Center – Building 3 is completed.
- Belle Ayre Single Family –Danfield Dr – Construction started on homes on the first 5 lots.

Parks and Recreation Report

Accomplished week of 3/13

Parks – Continued prepping picnic tables for spring/summer season
Parks – Made repairs to monkey bars at the Jays Nest
Parks – Completed first work order of the season
Rec. – Completed sorting teams for youth soccer and sent out rosters to coaches
Rec. – Prepped soccer balls and ordered nets and jerseys for upcoming season

Rec. – Attended the All-stars basketball games held at Woodbridge elementary (second set of games was 3/13)
Parks&Rec. – Prep for Easter Egg Hunt (4/1) & Light It Up Blue (4/3)
Parks&Rec. – Prepared signage and notes for Bobby & City Hall Staff for upcoming building closure (3/16 – 3/26)

Accomplished week of 3/20

Parks – Bobby attended 2 classes at Rutgers for his Public Grounds Management Certificate
Parks – Set up soccer fields in preparation for the upcoming season
Parks – Had bid opening for Front Mount Mower with Snow Blower attachment on 3/22
Parks – Cut old electric poles and recycled them as parking barriers at Williams Pond
Parks – Installed repaired monkey bars and assessed some other areas to repair before spring season
Rec. – Began soccer practices, currently working on finding referees
Rec. – Reached out to all softball teams to begin working on Spring schedule (games to begin week of either 4/10 or 4/17)
Parks&Rec. – Continued prep and advertising for the Easter Egg Hunt on 4/1 and Light It Up Blue event on 4/3
Parks&Rec. – *Thank you to the staff that assisted with the Rec Office closure during this week*

Councilman MacCoy reported on Electric.

Since the last report

Crew

Pulled 2 poles in Kiwanis Park that we had removed the infrastructure off.
Fixed the streetlights on Federal ST and Jet Drive.
Did the monthly substation checks.
Pulled in the new fiber cable on Herring Run Road.
Changed out our rubber gloves.
Rode out circuit 210, it took a blip Saturday 3-18-23.
Cut trees in the Industrial Park for the new fence.
Pulled three poles in Williams Pond Park for Little League.
Cut a tree on Delaware Ave.

Director

Had a directors meeting.
Had my council liaison meeting.
Had a staff meeting.

Met with a transformer sales rep.
Attended Mike Rappa's 25 year gathering.
Attended the PD departmental meeting.
Attended the monthly construction coordination meeting.
Worked on the FY 24 CIP presentation and sent it to Trish.
Went over all the upcoming jobs with Greg since I have federal Jury duty.

Upcoming Weeks

I have Federal Jury duty.
They are picking up truck 19 to put a heater in the hydraulic tank.
Start working in Belle Ayre single family residence section.
Start working on Mearfield 1 phase 3.
Set a new pole on Bridgeville Hwy near My Eye Dr for a riser pole.
Continue changing the lights on Sussex Highway to LED.

Councilman King reported on Public Works & WWTF.

Past two weeks:

Public Works:

- Replaced fire hydrant with new storz model at Washington and Pine Ext.
- Replaced fire hydrant with new storz model at Cedar and Fourth St.
- Pulled sweeper head and rebuild with new curtains and gaskets
- Repaired water service leak at 416 E. Poplar
- Cleaned up property on Robinson Circle for the Code department
- Serviced trucks #9, #11, and #24
- Filled in ruts on Pine Street
- Replaced valve box on Robinson Circle
- Cleaning up water tower storage
- Working with contractor to base coat pave Mearfield phase 3.
- Talking with Asphalt contractor to set a mobilization date for the three paving projects
- Held multiple meetings in person and on-line
- Continued working on budget preparation and evaluations
- Performed all routine tasks; swept, L & L, big piles, read meters, re-reads, disconnects, hung pink tags, collected State water samples, supplied barricades for various events, etc.

WWTF & COMPOST

- All is operating well, Plant performance is good, Leachate treatment going well.
- Performing maintenance to lift stations
- Bid Woolford Street paving project
- Weed spray
- Paint curbs
- Continue hydrant replacements
- Working on RAS pump install

- Worked on budget

Upcoming two weeks:

Public Works

- Rebuild Manor House pump
- Shipley St. water services
- Work on 120water lead inventory
- Work on more water meter issues
- Work with contractor on sewer and water installations on Shipley Street
- Repair cleanouts on smoke testing list.
- Continue all routine tasks.

WWTF & COMPOST

- Keep the plant up and running with no violations
- Perform maintenance as needed
- Perform work at lift stations as needed
- Rotate WWTF staff positions and work out details for weekend staff and lift station weekend checks.

Mayor Genshaw then called for a motion to adjourn the Regular Council Meeting. Councilman King made a motion to close the Regular Council Meeting. Councilman MacCoy seconded the motion; the motion so passed with all voting in favor. The meeting was adjourned at 8:37 p.m.

Charles D. Anderson, City Manager

/KV