

**MEMORANDUM
CITY OF LEWES, DELAWARE**

TO: Showfield Annexation Committee

FROM: James L. Ford III, Mayor
Thomas J. Wontorek, City Manager

DATE: June 26, 2007

SUBJECT: Showfield Annexation Committee Charge

Statement of Purpose

The Showfield Annexation Committee has one basic purpose and that is to make a recommendation as to whether or not the annexation of 139.589 acres of land into the City of Lewes should occur.

Controlling Documents

In completing this charge, the Committee needs to comply with the Charter provision to determine whether the annexation is beneficial for both the residents within the area to be annexed and within the current city limits. The Committee also needs to comply with the provisions of the State of Delaware by completing a Plan of Services which outlines the capacity of the city to provide the needed services to the residents in the annexed area. A copy of the format for the State of Delaware Plan of Service Report is attached.

The Lewes Charter provisions may lead one to think that if the annexation is not recommended, the development of the land will not occur. The property in question has already been identified by the State of Delaware as a growth area and is currently zoned AG – Residential, by Sussex County. There has already been development beyond the specific property in question. The question might better be phrased in terms of “If the development occurs, is it better for the City of Lewes that it occur within or outside the Lewes corporate limits?”

Committee Composition and Resources

The Committee is composed of the elected members of the Mayor and Council, the Board of Public Works, and the chair of the Planning Commission. It will be assisted in its work by both City and Board staff. The Committee also has assistance from the Office of State Planning Coordination to develop the Plan of Services. In addition, there are several resource materials available to the Committee including Showfield’s Petition for Annexation, the Tentative Plot Plan, the Showfield Pattern Book, the City of Lewes Comprehensive Plan, the State’s PLUS Review Report, Showfield’s response to the PLUS review, and the comments from the Development Review Team.

Sub-Committee Assignments

The Committee members have been assigned to a sub-committee to facilitate the development of the Charter- and State-mandated report. Most of the work will be done within the sub-committees, but the recommendations need to be coordinated between sub-committees. The following Sub-Committees will be established: Infrastructure, Operational Services, Community Facilities, and Financial. Sub-Committee members shall select their chairpersons. The various elements of the report that were previously developed will be assigned to each committee in the following manner.

Infrastructure Sub-Committee – Members: Gary Stabley, Wendell Alfred, James Carmean	
	BPW - Electric
	BPW - Water
	BPW - Sanitary Sewer
	BPW - Stormwater
	City - Streets

Operational Services Sub-Committee – Members: Ted Becker, Barbara Vaughan, James Monihan	
	BPW - Administration
	City - Administration
	Building Inspection
	Community Development
	Street Maintenance Services
	Solid Waste Collection and Disposal
	Police Emergency Services
	Fire Emergency Services
	Medical and EMS Services
	Traffic: School transportation and pedestrian access
	Traffic Volumes and Circulation Changes
	Bike/pedestrian movement within city and between annexed area & city
	Library Services
	Recreation and Park Programming
	Employment During Construction
	Employment After Completion

Community Facilities Sub-Committee –Members: Victor Letonoff, Kay Carnahan	
	Open Space: Opportunity to preserve open space, natural features, historical features
	Open Space: Opportunity to minimize removal of trees, vegetation, soil, grade changes
	Dedication for Future Uses: Churches
	Dedication for Future Uses: Community Center
	Dedication for Future Uses: Parks and Recreation
	Effect on Library facilities
	Effect on Parking Facilities
	Effect on the Business Community
	Effect on Volunteer Organizations
	Effect on the Electoral Structure
	Effect on Waterways
	Effect on Property Values
	Effect on compatibility with existing development
	Education

Financial Sub-Committee –Members: Stephanie Tsantes, Jim Gayhardt	
	BPW - Financial Aspects
	BPW - Utility Impact Fees
	Financial: Property Tax Revenues
	Financial: Real Estate Transfer Tax Revenue
	Financial: Annexation Agreement Revenues
	Financial: Other Revenues
	Financial: Additional Expenses
	Financial: Impact Fee Revenues
	Development & Population increase effect on Grants, Municipal Street Aid, etc.

Committee and Sub-Committee Procedures.

The committee meeting schedules for the Committee and members of the sub-committees also need to identify dates when it can meet. Sub-Committees may also receive comments, suggestions, and input from other sources, as appropriate.

All of the committee and sub-committee meetings are public meetings. As a result, meeting notices, agendas, and minutes need to be prepared. Under the Delaware Freedom of Information Act, a Regular Meeting and Agenda can be scheduled with seven (7) days notice. A Special Meeting and an Agenda can be scheduled with less than seven (7) days notice but the meeting has to be noticed at least 24 hours prior to the meeting and state why seven days notice could not be given.

With limited staffing, we recommend that Sub-Committee chairs either draft their minutes or recommendations or assign the task to one member. Email may be used to facilitate the preparation and distribution of minutes, but remember that those emails are public records and a copy of each email needs to be retained. To this end, each committee and sub-committee email should include the addresses aerickson@ci.lewes.de.us and twontorek@ci.lewes.de.us in the addressee line and list "Showfield Annexation" in the Subject line. This will allow the email correspondence to be retained on the city web-server. We also plan to keep the City Web Site current by posting the meeting notices, minutes and draft recommendations on it.

Since the Mayor and Council will be serving on the committee, the recommendations and findings may be considered to have the force of law as a legislative action by the council. To avoid that, all documents and email and correspondence, etc., should NOT speak in terms of deciding, making a decision, reaching an agreement on final action or anything that appears to be a predisposition and determination before the report is finalized.

Committee Meeting Schedule

The Showfield Annexation Committee has a Lewes Charter mandated reporting date of 90 days after its creation. We anticipate that the Committee will be created on July 9, 2007. The calculated reporting deadline is October 6, 2007. Within the 90 day window we have been able to identify six meeting dates that most if not all Committee members were available. Those dates are:

Wednesday, July 11	Wednesday, August 8	Wednesday, August 22
Wednesday, July 25	Tuesday, August 14	Thursday, August 30

Some or all of those dates may be needed for meetings of the full Committee.

Sub-Committee Meeting Schedule

A table showing the available dates of all the Committee members is attached. Each Sub-Committee Chair should use this information to schedule meetings as soon as possible after the official creation of the Committee and Sub-Committees.

Sub-Committee Reports

Each sub-committees will prepare its own draft report to be included in the full Committee Report. Please use the following report format In order that each sub-committee report will have the same appearance:

Sub-Committee: [Insert Sub-Committee Name]

Topic: [Insert the Element which the report addresses]

Date: [Insert the date of the draft report]

Narrative/Summary: [Describe the information that was reviewed, what additional information may be needed, current status of Sub-Committee work on the topic]

Conclusions / Recommendations: [List any recommendations or conclusions that the sub-committee reached.]

Committee Report

In order to facilitate the preparation of the full report by October 6, Mayor Ford will schedule two meeting dates for September 11 and September 13, 2007 as reporting dates for each Sub-Committee. This schedule should allow time for the Sub-Committee reports to be presented to the full Committee and to identify any conflicting recommendations or areas that may need to be clarified.

The full committee will then make a presentation to the public on September 25 and September 26, if necessary. The final meeting of the full committee will be October 4, at which time any final revisions to the document may be submitted and discussed, followed by the formal consideration of action by the full committee to either recommend or reject consideration of the petitioners' request for annexation.