

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, December 11, 2013
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:45 P.M. Public Hearing
7:00 P.M. Regular Meeting

PRESENT:

Michael R Wyatt, Mayor
Steve M Hartstein, Ward One
Sue H Barlow, Ward Two
Bill West, Ward Three
Linda Dennis, Ward Four

STAFF PRESENT:

Eugene S Dvornick Jr, Town Manager
Angela Townsend, Town Clerk
Stephani J Ballard, Town Solicitor
Bill Topping, Chief of Police

6:45 P.M. PUBLIC HEARING

ORDINANCE #2013-19 TRANSITIONAL HOUSING MODIFICATIONS

This Ordinance establishes modifications to include revisions of the Family definition; addition of Single Housekeeping Unit definition; clarification of Occupancy Limitations Relative to the Size of the Dwelling and as Applied to Bedrooms; addition of definitions for types of Special Needs Housing; additional options for Off-Street Parking requirements; expansion of Conditional Use for Special Needs Housing and addition of a Use Permissions and Zoning Matrix for Special Needs Housing Types.

The public hearing allows for public comment and any questions that the Council or the public has regarding the Ordinance.

The Planning Commission recommended approval to the Town Council with the changes to the square footage.

Council will take action on this item at their January 8th Council meeting.

There were no comments.

Public Hearing was closed at 6:49pm.

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor Wyatt led the Pledge of Allegiance.

2. INVOCATION

Mayor Wyatt led the Invocation.

3. ADOPTION OF AGENDA

ITEM #7B PUBLIC WORKS AGREEMENT – COLLEGE PARK RETAIL was deleted.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to adopt the agenda as amended. **APPROVED (unanimous).**

4. APPROVAL OF NOVEMBER 13, 2013 TOWN COUNCIL MINUTES

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the minutes as presented. **APPROVED (unanimous).**

5. HARRIETT WINDSOR SMITH – “FLAGS FOR HEROES”

Harriett Windsor Smith was not in attendance for the meeting. Town Manager presented Council with an overview of “Flags for Heroes.”

This year’s first purchasers were Georgetown Mayor Mike Wyatt and Millsboro Mayor Bob Bryan. An estimated 300 flag sponsorships will be sold at \$50 each. The flags will be flown during the 2014 Memorial Day weekend at three locations – The Circle in

Georgetown, Delaware Technical Community College Owens Campus and the Millsboro VFW. The names of the heroes will be published, along with the names of their sponsors, in local newspapers and displayed on the Rotary Club's website in May.

6. PRIMEROS PASOS – REQUEST FOR PLACEMENT OF 3 BUILDINGS

At the October 23rd Council meeting, Council members voiced concerns with the condition of the classrooms sitting on steel girders for an extended period of time.

Mr Baker informed the Council that Preliminary Approval was received from the Planning Commission, and they are actively submitting applications to the individual outside agencies. The Fire Marshal would not provide Preliminary or any Conditional approval prior to the outside agencies approval prior to placing the classrooms on foundations. We are rushing to get our final approvals. The timeline schedule is still good. We have good news on our funding side, commitments of \$715,000 plus another \$4,000 from individuals. Total goal for the project is \$1,327,000 which includes \$877,000 for construction and \$450,000 for sustainability, but in total we have a shortfall of \$611,000. Longwood Foundation will grant \$250,000 contingent on us reaching \$1,000,000 in fundraising by April 2015. We are currently in the process of obtaining additional donations. We also have a fundraising committee focusing on individual fundraisers.

Councilperson Dennis asked about the 5 Star rating. Mr Baker explained how daycares are graded with meeting certain requirements. Primeros Pasos is currently a 3 Star rated daycare due to certain restraints that come with using the church property, such as accessible playground and current bathroom conditions. With the new property and classrooms Primeros Pasos will be working on obtaining their 5 Star rating. With the 5 Star rating additional funding will be available.

7. COMPREHENSIVE PLAN AMENDMENT – REVISION TO TRANSPORTATION

Council was presented with the PLUS Application with the added word 'delay' as requested by DelDOT at the PLUS meeting on October 23, 2013.

Office of State Planning's written comments that resulted from the October 23, 2013 PLUS meeting.

Motion by Councilperson Barlow, seconded by Councilperson West, to approve the Comprehensive Plan Amendment – Revision to Transportation. **APPROVED** (unanimous).

7A. FY14 BUDGET AMENDMENT – POLICE DEPARTMENT PROMOTIONS

Due to personnel realignments and through the process of attrition the Police Department is currently one Corporal position short of its requirements. Since the loss of Cpl. Marino we are experiencing a shortage of shift supervisors. Chief Topping would like to have a testing cycle for the position of Corporal during the month of February. The Department would also like to promote the three officers hired from Laurel, Patrolmen Glaeser, Callaway, and Arnold to Patrolman First Class. These officers were certified when hired and are eligible to be promoted to Patrolmen First Class after one year of service. As Council is aware no provision was made in the current budget to fund this promotion. Corporal position will not go into effect until the new fiscal year.

Councilperson Dennis stated it is a little disappointing at the time this comes before us after the FY14 Budget has been approved. The proper time that any of these requests should be proposed are during our fiscal budget workshops at which time the long-term effects can be discussed. As much as I would love to approve certain things that have been presented during the year, I feel that we as Council need to be responsible enough

to defer these decisions until budget workshops beginning in January, so we can understand what we are committing ourselves to and to understand where the money is coming from. So I would like to defer any action at this time until budget discussions begin in January.

Councilperson Hartstein asked if there was any money anywhere else that could be used. Town Manager stated that Transfer Tax could be used, but cautioned that once it's programmed in it affects FY15 and all the other departments. They will also get the option to do this within their own departments.

Mayor Wyatt stated that the FOP negotiations have just finished. We told the FOP that the Town did not have money for basically anything. We are currently we are looking at shortfall of approximately of \$235,692.00 for the coming year. We were being as honest as we could with the Police Department. I tend to agree with Councilperson Dennis, that we need to look at this with our next budget.

Councilperson Dennis asked the Town Manager to reiterate with the Department Heads that the times for these requests are at the beginning of our budget discussions.

Councilperson Barlow asked if the Council would give the Chief Topping authorization to test for the position of Corporal.

Motion by Councilperson Dennis, seconded by Councilperson West, to postpone the Police Department promotions until the next fiscal year, and to give Chief Topping authorization to proceed with a testing cycle for the Corporal position. **APPROVED** (unanimous).

7B. PUBLIC WORKS AGREEMENT – COLLEGE PARK RETAIL

This item was deleted with the adoption of the agenda.

8. HOLIDAY INCENTIVES

A. PARKING METER WAIVER

The waiver originated years ago for downtown merchants and convenience of shoppers during the Christmas season. The parking waiver if granted would be from Monday, December 16, 2013 thru Tuesday, December 31, 2013.

Councilperson Barlow stated that the only ones benefiting from the waiver is the State and County employees.

Motion by Councilperson Hartstein, seconded by Councilperson West, to approve the parking meter waiver. **APPROVED 3-2 Yeas: Hartstein, West, Wyatt Nays: Barlow, Dennis**

B. ANNUAL EMPLOYEE INCENTIVE

Employee Christmas bonuses were \$250 net in 2012.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the Employee Incentive in the amount of \$250.00 net. **APPROVED** (unanimous).

9. RESOLUTION # 2013-9 2014 HOLIDAY SCHEDULE

Motion by Councilperson Barlow, seconded by Councilperson West, to adopt Resolution #2013-9 2014 Holiday Schedule. **APPROVED** (unanimous).

“Resolution #2013-9 is incorporated as part of the minutes.”

10. RESOLUTION #2013-10 2014 TOWN COUNCIL MEETING SCHEDULE

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to adopt Resolution #2013-10 2014 Holiday Schedule. **APPROVED** (unanimous).

“Resolution #2013-10 is incorporated as part of the minutes.”

11. 2ND READING & ADOPTION OF ORDINANCES

A. ORDINANCE #2013-21 ICE CREAM PEDDLER

On Monday, October 21, 2013 the Town was notified that the Georgetown Police Department, per DELJIS protocol, can no longer perform criminal background or driver's license checks for business licenses for Ice Cream Peddlers.

Motion by Councilperson Barlow, seconded by Councilperson West, to adopt Ordinance #2013-21 Ice Cream Peddler. **APPROVED (unanimous).**

"Ordinance #2013-21 is incorporated as part of the minutes."

12. DEPARTMENTAL REPORTS

A. GENE DVORNICK – TOWN MANAGER

East Market Street Tree Grates

As part of the East Market Street Tree Replacement, the Town included replacement of the cast iron grates at the base of each tree. We received two quotes as presented below:

<u>Company Name</u>	<u>Unity Price</u>	<u>Quantity</u>	<u>Total</u>
Delmarva Castings & Supply	\$ 929.00	12	\$ 11,148.00
(12" Grate)	\$ 1,150.00	1	\$ 1,150.00
			<u>\$ 12,298.00</u>
EJ Company (12" Grate)	\$ 749.59	12	\$ 8,995.08
Option for Adjustable Grate	\$ 801.77	12	\$ 9,621.24

The cost for the grates will be reimbursed as part of our Urban Forestry Grant.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to accept EJ Company proposal for the adjustable grate in the amount of \$9,621.24. **APPROVED (unanimous).**

106 North King Street

The Town has been working to get the property located at 106 N. King Street into compliance or demolished. The property has been condemned since January 7, 2011. There has been numerous correspondence to the property owner, both regular and certified mail, to no avail. Additionally, the property is delinquent on payments due the Town, totaling: \$13,951.39 (\$3,988.06 – property taxes; \$4,247.71 – utilities and \$5,715.62 for miscellaneous billings).

An asbestos survey has been completed on the property and indicates two areas in need of remediation: 1- exterior Transite siding and 2 – interior Mastic floor tile. We are in the process of contracting for the removal.

We have received three (3) bids for the demolition of the structure:

<u>Vendor</u>	<u>Bid</u>
Hart	\$13,090.00
John Macklin and Son Demolition	\$7,858.00
Larimore Construction	\$8,800.00

The Code Enforcement Officer and I have reviewed the proposals and recommend award to John Macklin and Son Demolition.

Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to grant authorization to the Town Manager to sign the John Macklin and Son Demolition proposal at an amount not to exceed \$7,858.00. **APPROVED (unanimous).**

Agreement for Storage

The Town has been working with Clear Channel Outdoor for the temporary storage of construction materials related to the Margaret Street Project. The temporary storage area is at the base of their billboard, located on US Route 113, just north of Fulton Bank at the intersection of Edward Street.

Clear Channel has requested a formal agreement between the Town and Clear Channel Outdoor be executed. The proposed agreement has been reviewed by the Town Solicitor.

Motion by Councilperson Barlow, seconded by Councilperson West, authorizing the Mayor to sign the Clear Channel Outdoor Agreement. **APPROVED (unanimous).**

“The Agreement is incorporated as part of the minutes.”

Ordinance Revision

The Town is currently working to revise the following areas within the Town Code:

- **Annexation:** A new ordinance, as recommended by the Charter Revision Committee, outlining the annexation process.
- **Signage:** Under review by staff and the Town Engineer. Next step will be circulation of a draft to Mayor and Council.
- **Buffering Requirements:** Initial information is being gathered to codify buffering requirements into the Zoning Code.

Miscellaneous

- Upcoming Events:
 - Sussex County Association of Towns, Dinner Meeting, Wednesday, January 8, 6:00 PM, hosted by Sussex County Council, location TBD
- Today, December 11th, was utility disconnect for failure to pay the October billing. A total of 26 properties were scheduled for cut-off.
- Reminder: Town Offices will be closed on the following dates:
 - Tuesday, December 24, 2013, half-day in observance of Christmas Eve
 - Wednesday, December 25, 2013 in observance of Christmas Day
 - Wednesday, January 1, 2014 in observance of New Year’s Day

B. BILL TOPPING – CHIEF OF POLICE

Chief Topping apologized for not having his report available for Council, due to a software crash the day before yesterday. The software is not up and running as of yet due to a firewall with the State, making it impossible for the company to remotely access through the firewall. The Department has people working on it trying to get it up and running. Chief Topping was recently elected Chairman of the Delaware Police Chief Council, taking over that position in January. Our Department has obtained a bull dozer through LESO, for the Public Works Department. As soon as the software is up and running I will get the incident report out to Mayor & Council.

13. PUBLIC COMMENT

Town Clerk, Angela Townsend, thanked Councilperson Barlow and Councilperson Dennis for all their help in feeding the Police Officers prior to the parade.

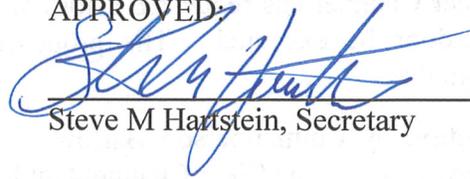
Clayton Townsend, 20293 Ennis Rd, stated that the change this year with Santa’s appearance prior to the parade was very successful. Santa greeted well over 75 children compared to 5 to 7 the previous year.

Mayor Wyatt stated that Caroling on the Circle was a successful event that was moved to the Fire Department due to the weather.

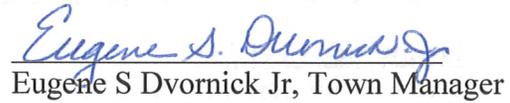
14. ADJOURNMENT

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to adjourn at 7:44p.m. **APPROVED (unanimous).**

APPROVED:


Steve M Hartstein, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager