

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, July 24, 2013
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

PRESENT:

Mike 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

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 #10B A STREET/ALLEY was added.

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

4. APPROVAL OF JUNE 26, 2013 TOWN COUNCIL MINUTES

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

5. SPECIAL PRESENTATION – THE HONORABLE JOSEPH W BOOTH

Mayor and Council presented the Honorable Joseph W Booth with an appreciation award recognizing his years of service to the Town of Georgetown serving as Councilperson, Mayor, Representative, and Senator.

6. REVELSTONE PRESENTATION

Revelstone is a web-based performance management tool specifically designed for local governments. Town Council was presented promotional material and with a list of potential measures/metrics for the Town. Another feature is what it offers, when the information is populated there's the ability to obtain information from other comparable municipalities/Towns. Approximate cost is \$7,800.00 for the 1st year, broken down into two components, \$400 per month thereafter, and a quick start session of 30 hours training at \$100.00 per hour.

Councilperson Dennis: Shared concerns with this tool being customized to our needs. Councilperson Dennis asked that the Town Manager outline more clearly just what we would get out of this system. What would we recommend as our performance measurement for this, what we hope to get out of this and how would we use this.

Town Manager suggested that the Council tell him exactly what they would like to see and need, with most of these items we produce now. This would include anything we would like to tract as long as we can capture the information.

Councilperson Dennis: Questioned the list of potential metrics, is it information we collect now or we don't collect, I just don't understand what this will do for us. Councilperson Dennis recommended that this list be sent back to the Department Heads for their input and then come back to us with a list from the people that will be generating the data and to look at how we would use it.

Councilperson Hartstein asked about any other local Towns using this system.

Town Manager stated that it was a relatively new company most of their Towns are headquartered in New Jersey and Pennsylvania, and just recently have entered the Delaware market.

Mayor Wyatt asked if 3 months down the road could metrics be added and if there would be any additional cost.

Town Manager stated metrics could be added with no additional charge.

There was discussion as to who owns the data and the storage of data.

Town Manager: The Town owns the data and it is stored on their machinery, it's our data. They have asked if we are a successful customer to do some kind of testimonial. If we are not satisfied we can say we're done. There is also no fee for a number of users.

Mayor Wyatt stated as the recommendation from Councilperson Dennis to check with the Department Heads as to their input and to see what might be useful and bring that information back to Council.

Motion by Councilperson Barlow, seconded by Councilperson Dennis, to table until the next Town Council meeting. **APPROVED (unanimous)**

7. **PRIMEROS PASOS UPDATE**

At their June 12th meeting Council asked that a representative from Primeros Pasos be present at a future Council meeting to provide an update for the project. In an email to Dave Baker, the Town asked for: funding in hand/receivable, site plan approval status, and a timeline for the project.

Freddie Batta & Sally Beaumont, Primeros Pasos, presented Council with an update on the progress of the project, along with an approval process, timeline, financial plan, and status. The design is 85% ready to submit, still waiting for some outside agencies. The plan is to begin construction next spring or summer, with a fall 2014 completion. Our goal is to raise approximately \$1,000,000 for the project which $\frac{3}{4}$ of that is for sticks and bricks for the building, with remaining for operational expenses.

Councilperson Barlow updated the Council with the project's timeline complete with details starting in 2007 to 2010. In 2012 Council granted permission to have 3 buildings placed on the property and a year later still nothing has been done with the buildings. Councilperson Barlow has concerns with this organization not keeping the Council informed for one thing, and misinforming us for another. As of now you only have \$544,000.00. Councilperson Barlow asked what the holdup was as to why the project had stopped, you've had every opportunity to continue with that progress, and now you're only 80-85% ready to submit something. Councilperson Barlow also asked if they could offer any assurance that this project is moving forward.

Mr Batta fully understood her concerns and stated that there must have been a miscommunication and funding for these projects has dried up over the past five or six years, but things are starting to look up.

Sally Beaumont, President of Primeros Pasos tried to explain the financial aspect of the project. The goal is \$1.3 million, which includes a \$250,000 sustainability fund to be used for a rainy day.

Councilperson Dennis asked for clarification with the financial plan and press release. The goal is \$1.4 million, you currently have \$600,000, and you're missing \$800,000, where do you make up the difference.

Mayor Wyatt asked what happens when the sustainable money runs out.

Sally Beaumont with the new buildings we'll have 69 children, those enrolled would sustain that funding for the operating expenses. We will have 17 teachers and 1 director on staff, working 2 shifts, 6am to 12 noon and 12 noon to 6pm.

Councilperson Dennis you state that operations will start next summer, when are you anticipating starting construction.

Mr Batta construction will start in approximately 6 months, or whenever we get all of our approvals.

Councilperson Dennis of the \$750,000 needed for construction, how much do you have to have before you break ground? Are you looking to have that money in hand? My question is are you going to having enough money in the pipeline to complete the construction or construct with the money you have on hand, then stop until you fundraise again.

Mr Batta our hope is we have so much money to start with, some being in site work, parking and paving, and some into other parts of the project. Our hope is to get that started and when the other funding come through we finish.

Councilperson Dennis stated in my opinion there seems to be a tremendous gap between what you have and what you need. There is nothing that guarantees that \$400,000 difference. Would it be unreasonable to ask you to return to Council when you have your funding in hand to finish the construction, before we approve anything? Can you come back with assurance that you are working on this funding.

Mayor Wyatt stated the Council appreciated being updated with the status of the property, but cautioned that the Council could not grant the placement of foundations without knowing where the entrances could be placed. Where we stand now, Councilperson Dennis asked that you keep us updated on the true, firm commitments on funding when it comes in.

Mr Batta suggested that they appear before Council in September or October.

Mayor Wyatt recommended Primeros Pasos coming back before Council October 23rd with another update and in addition to furnishing Council with a monthly statement of income in hand.

8. DISCUSSION OF HEIGHT RESTRICTIONS – HIGHWAY COMMERCIAL DISTRICT

After much debate with the recently conceptual Microtel Hotel, an allowable 55' height within the Highway Commercial District came into discussion. The request from resident, Tony Semeraro, is asking for Council to consider a 35' height to match the other zoning districts, with exceptions on a case to cases basis.

Council's discretion on whether to move forward with the required procedures to implement this change to the code or leave the allowable height as is.

Councilperson Dennis recommended modifying the height restrictions and to lower them in the Highway Commercial District to the suggested 35'.

Mayor Wyatt disagreed with the 35' height proposal, compared heights to the County's, the Mayor understood the concerns with the residents at Cinderberry, and had issues with a case by case to allow someone to go to 55' or 60', is just one more hoop for a developer to jump through. We are not here to make an easier job for the developer; we are here to have the best product for the Town. Look around the County and you'll see 4 and 5 story hotels up and down RT 1 looking down into residential communities. We are making a statement that by changing this we don't want you, which is the wrong statement to make. The right statement is let's work with you to get a workable do able project, and if Council says lower the height restriction, and then lower it. I think if you go to low you'll cut out any chance of Kohl's, Home Depot, or anything like that. One hotel 4 stories, may bring another one, then another one, and then when you look at them, that one doesn't look that bad. We need to remember that this is Highway Commercial, lot of people in this Town want businesses to come to this Town. We have made an assertive effort to let people know we are business friendly. I don't think we need to jump on this because one hotel wanted to come at 4 stories, and change it for everyone.

Councilperson Dennis stated that the residents were aware of the Highway Commercial, but the property was initially approved for a Profession Medical Arts Buildings, which is a big difference with a medical arts building running 9-5 daily to a hotel running 24-7 operation. The Council did lower the standards for the parking requirements at the last meeting, so we do change standards all the time and for various reasons, which is not out the ordinary to do something like this. Councilperson Dennis asked that Council look at something between 35' and 55'. I don't consider comparisons on RT 1 comparable comparisons to US113. RT1 is a highly congested area with exceptionally valuable land with only one option to build up. That is not the issue here in Georgetown; we have lots of land that's available to be developed on. Our job is to find a win-win situation for the residents of the Town and the people that want to come here and do business.

Motion by Councilperson Dennis, seconded by Councilperson Barlow, to look into this further. **APPROVED (unanimous).**

9. GREAT FUND APPLICATION REQUEST FOR FUNDING – CONCERTS IN THE PARK

The GREAT Fund (Georgetown Recreation, Education & Arts Trust Funding Program) was established in 2007. Source of funding is to provide financial support to various organizations. On behalf of Bill West, the committee is requesting a draw. Requested breakdown of draw \$2,500 (falls under Education & Arts). The current balance is 81,394.30.

Town Clerk, Angie Townsend and Linda Price presented Council with an overview of the Committee's vision for the concerts and the use of the funding if granted.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the funding request in the amount of \$2,500.00. **APPROVED** (unanimous). **Recused: West**

10. VILLAGE OF COLLEGE PARK – REQUEST FOR A 1 YEAR EXTENSION

Asking for a 1 yr extension due to delays associated with offsite sewer issues, struggling economy, and the depressed housing market.

Motion by Councilperson Hartstein, seconded by Councilperson West, to grant the 1 year extension. **APPROVED** (unanimous).

10A. BID AWARD – NORTH RACE STREET & WEST PINE STREET

Bids received from C & J Paving, Delmarva Paving, George & Lynch, and Jerry's Paving.

<u>Vendor</u>	<u>North Race</u>	<u>West Pine</u>	<u>Total</u>
C & J Paving	\$ 18,472.00	\$ 143,440.00	\$ 161,912.00
Delmarva Paving	\$ 26,725.00	\$ 117,850.00	\$ 144,575.00
George & Lynch	\$ 31,000.00	\$ 150,000.00	\$ 181,000.00
Jerry's Paving	\$ 27,674.00	\$ 141,632.00	\$ 169,306.00

Bids reviewed by Bill Bradley, Director of Public Works and Jeff Ward, Construction Co-Ordinator. Funding for North Race is from Joe Booth (already set aside). Funding for West Pine will be a combination of CTF from Sen. Pettyjohn, Rep. Briggs-King and Municipal Street Aid (needs to be requested).

Motion by Councilperson Barlow, seconded by Councilperson Dennis, to award the bid to Delmarva Paving in the amount of \$144,575. **APPROVED** (unanimous).

10B. A STREET/ALLEY

Bid received from Delmarva Paving co, Inc in the amount of \$8,978.00. Bid reviewed by Bill Bradley, Director of Public Works and Jeff Ward, Construction Co-Ordinator.

Motion by Councilperson West, seconded by Councilperson Hartstein, to award the bid to Delmarva Paving if CTF funding is in place. **APPROVED** (unanimous).

11. DEPARTMENTAL REPORTS

A. GENE DVORNICK – TOWN MANAGER

Downtown Merchant Association

The Town continues working with DEDO's Downtown Delaware Program to form a Downtown Merchants Association. In cooperation with DEDO consultants, we have finalized a "Georgetown Merchant and Business Survey" which will be distributed July 29th through August 15th. The focus is the businesses from The Circle to Layton Avenue.

Fountain Brickwork

The Town has been notified that John Davidson Masonry will begin repair to the fountain brickwork the week of August 5th (weather permitting).

King Street

Resurfacing of King Street is 90% complete. There is one area, the first 100' off of the Cedar Street intersection, where we have encountered issues with an unstable base. Public Works is in the process of getting estimates to remove this section and rebuild it according to current town specifications.

Margaret Street

The project was advertised in the News Journal and the Delaware State News on July 11th and July 18th. The Pre-Bid Meeting will be held on Thursday, July 25th at 10:00 AM here at Town Hall. Bids are due on/before August 8th for opening and review by the Town Engineer. It is anticipated award for the project will take place at the August 14th Town Council Meeting.

Miscellaneous

- First "Concert in the Park" – Wednesday, July 31st, 7:00 PM to 9:00 PM, North Bedford Street Park
- Employee Achievements:
 - Mike Betts – Waste Water Operator Level III Certification
 - Kenny Wilson – Waste Water Operator IV Certification
- Employee Service Recognition:
 - Bill Bradley Public Works 28 Years
 - Kenny Wilson Waste Water 17 Years
 - Jeff Ward Public Works 7 Years
 - Linda Zelo Police Department 4 Years

Councilperson Dennis asked that the Downtown Merchant Association survey be provided to other members of Council.

12. PUBLIC COMMENT

Tony Semeraro, 4 Cranberry Court: My remarks have to deal with Item #8. I have the letter, and you have a copy as well. My letter to you is 5 paragraphs long, 3 paragraphs of which are one sentence long. The Mayor said that I stated in my letter that people in Georgetown didn't know what 55' is. What I said was "it is difficult to envision a case where a five story structure is contemplated in these zones, meaning Light Industrial, Education zones, and Highway Commercial. You yourself have said no such buildings have ever come here, and the tone of my letter is such that the option is not precluded. You can have a building higher than 35', if you decide that. Now whether it means another step for business well that has to do with the quality of life here in the Town of Georgetown. You also stated that when I moved to the Village of Cinderberry I should have realized that that was highway Commercial, oh I did. I knew exactly where I was moving and what was around it. What I did not contemplate was a 55' story structure, because I was under the impression that all the zones were 35'. A trigger to my letter was because this project came in at 44', and I didn't realize that we had a zone that could accommodate that. But you'll notice in my letter the word "motel, hotel" and the word "Village of Cinderberry" was not in my letter. I wrote the letter because I think there is a need to take a look at this particular issue, before we're stuck with very tall buildings that perhaps we don't want. Now it's true in my particular case

that this 44' building will be right next to my development, not next to my house, but I'm in a condominium so the whole community is owned by everyone together. So anything that might affect the values there, are going to affect all of us. Not just one person. But I will submit to you that if a 44' building was being built across the street from your home you would have a different take on it. I also want to say that you said you weren't going to take a vote on it, but you did take a vote on it. You did take a vote to look at it as an option, to accept it, reject it, refer to the Planning Commission, or talk about it some more. That's fine, that's why I made the comment about taking the vote. I also want to say, I was surprised at the tone of your response, Mr Mayor. As a citizen I have the right to propose such a thing. And as I said I did tie this to any particular project or any particular location. I spoke in my letter of a general issue with the Highway Commercial zone. That affects not only me but anybody adjacent to that zone. I hope you will take the time to consider, moving the height restriction back and still have the option of always approving a higher height of a building that has never been precluded from your authority to decide. So I want to thank you for the chance to clarify and comment.

Mayor Wyatt: As long as you've lived here it's been 55'; maybe I was wrong assuming this is what caused the letter, the motel. But if you've lived here for 7 years, how come you never submitted a letter before that, not until a motel was proposed to be in your backyard. I understand what you're saying, there was a 700 home community coming right behind where I live, there was a 200 and some right across the street from me. None of that is here. People got in an uproar that were living on Laurel Street and East Market. I told them that until it comes you're arguing nothing until it comes. When it wants to come and they're ready to built, if it's zoned for it, I don't see that you have a leg to stand on. I think if it's zoned for something, I think instead of fighting against it, I think you need to work with the developer to get what you need, to shelter yourself, to put some kind of border. Maybe I was wrong assuming this letter was written because a motel was coming in front of you, I mean behind you.

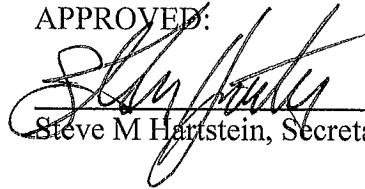
Tony Semeraro: The reason I wrote the letter, was I did not know that there was a higher height than 35' in the Town of Georgetown. When I first read the application it said HC, 55' with all the other setbacks. I didn't know about the 55'. We don't have any applications before the Town, so the time to do something is before you're faced with an application. You also mentioned those developments, and I don't blame you but those projects were poorly designed. In a way the Town benefited that they never got built. But that would give us a chance to look at our ordinances and look at our standards and maybe we would have a better shot when developers come to get what we're looking for. Back in 2007 I made that statement, when we had the RRPC ordinance, and we were making an exception for the Oaks. The reason why I wrote the letter was because when I looked at the plan I reacted to learning that, by saying I think it could be looked at. All I'm asking is that you look at that and consider it.

13. ADJOURNMENT

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to adjourn at 8:19p.m. APPROVED (unanimous).

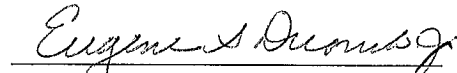
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APPROVED:



Steve M Hartstein, Secretary

ATTEST:



Eugene S Dvornick Jr, Town Manager