

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Wednesday, June 12, 2013  
**Location:** Town Hall, 39 The Circle, Georgetown, DE  
**Time:** 6:30 P.M. Public Hearing  
7:00 P.M. Regular Meeting

**PRESENT:**

Mike Wyatt, Mayor  
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

**ABSENT:**

Steve M Hartstein, Ward One

**6:30 P.M. PUBLIC HEARING**

**A. Ordinance #2013-10 Required Off-Street Parking**

This Ordinance establishes a one (1) space per rental room or suite. Under the current code an 80 room hotel is required to have 124 spaces. Excessive parking requirements add significant cost, 124 spaces = \$480,000 (\$4,000 per space). Studies have shown 1 space per room is more than adequate. With the proposed revision 80 spaces = \$320,000, a savings of \$160,000.00. The Planning Commission recommended approval to the Town Council. No action is necessary at this time.

In Opposition: No one spoke.

In Favor: No one spoke.

**B. Ordinance #2013-11 Breweries – Definitions, UB2, LI1 Permitted Uses**

This Ordinance establishes definitions for a Brewery, Microbrewery, and Restaurant and Bar, Brewpub. The permitted uses of Restaurant and Bar, Brewpub and for Microbrewery will be added to §230-82 for UB2 Neighborhood Business. The permitted use of Breweries, Regional (small and large) will be added to §230-110 for LI1 Limited Industrial. The Planning Commission recommended approval to the Town Council. No action is necessary at this time.

In Opposition: No one spoke.

In Favor: No one spoke.

Kathleen Talbott, Park Avenue, could not speak in favor or in opposition, due to the lack of information, she did not receive a notice of the meeting, and felt that Council was going to approve it anyway. Ms. Talbott asked that Town Council and Planning Commission re-consider what is allowed with Industrial zoning, and was hoping for more stores and commercial business.

**C. Case #2013-08 - Rezone Application by the Town of Georgetown for the property located at 413 South Bedford St**

An application by The Town of Georgetown, for an official zoning map amendment from Neighborhood Business (UB2) to Light Industrial (LI1) for the property located at 413 South Bedford Street, Georgetown, DE identified as Sussex County Tax District 135 Map 20.00 Parcel 50.00.

The property currently is operating under an approved Conditional Use; the Town would like to rezone the property to allow the Brewery to expand. The Planning Commission recommended approval to the Town Council. No action is necessary at this time. Formal adoption if approved, June 26, 2013.

In Favor: No one spoke.

In Opposition: Ms Kathy Talbott, Park Avenue, is opposed to the application, as stated in her previous comments.

**Public Hearing Closed at 6:41p.m.**

**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**

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

**4. APPROVAL OF MAY 22, 2013 TOWN COUNCIL MINUTES**

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

**5. BOARD OF ADJUSTMENT APPOINTMENTS**

Two positions were advertised for. Letters of interest were received from Bill Lecates and Ray Hopkins. The vacancy was advertised in the Sussex Countain, the Town's website, and posted in Town Hall. Ray Hopkins would like to complete Ann Behrens's term expiring on January 2015. Bill Lecates' term would expire on June 2016.

Mayor Wyatt recommended the appointment of Bill Lecates and Ray Hopkins to the Board of Adjustment.

Motion by Councilperson Barlow, seconded by Councilperson West, to approve the Mayor's appointment of Bill Lecates and Ray Hopkins to the Board of Adjustment. **APPROVED (unanimous).**

**6. COMPREHENSIVE PLAN AMENDMENT REQUEST**

With approval of the rezone (Change of Use) application, the Town is required to amend its Comprehensive Plan to reflect the change. The information supplied was submitted to PLUS (Preliminary Land Use Service) to start the process for the parcel located at 413 South Bedford Street. No action at this time, this is an informational session only.

**7. STREET LIGHT REQUESTS – OLD LAUREL ROAD AND NORTH FRONT STREET**

Before you are two requests for additional streetlights on Old Laurel Rd and North Front Street. Council was presented maps showing the existing lights with the placement of the new street lights.

Motion by Councilperson Barlow, seconded by Councilperson Dennis, to approve the lights located on Old Laurel Road and North Front Street. **APPROVED** (unanimous).

**8. NORTH KING STREET PAVING AWARD**

Notice of Invitation to Bid was advertised with bids due by Monday, May 20, 2013.

Three (3) bids were received:

Delmarva Paving	\$72,578.00
Jerry's Paving	\$77,782.27
C & J Paving	\$75,538.00

Scope of work includes: mill existing pavement, construct butt joints at all tie-in areas, clean existing road surfaces, apply tack coat, apply two (2) inches of type "B" hot mix base course, apply two (2) inches of type "C" hot mix surface.

Funding is available with Municipal Street Aid Funds and Community Transportation Funds thru Senator Joe Booth.

Motion by Councilperson West, seconded by Councilperson Barlow, to award the North King Street Paving Award to Delmarva Paving in the amount of \$72,578. **APPROVED** (unanimous).

**9. BIDURENERGY CONTRACT RENEWAL**

Over a 12 month usage history the total KWH used was 1,169,800.

	Projected Cost of the Contract	
		Savings
DPL	\$94,356.07	
Direct Energy (12)	\$83,757.68	\$10,598.39
Direct Energy (18)	\$81,511.66	\$12,844.40
Direct Energy (24)	\$81,499.97	\$12,856.10

The Fixed Electric Price Offer is Direct Energy's 24-month term at \$0.06967. Estimated cost savings is \$25,712.20. The Town Manager recommended Direct Energy's 24 month term.

Motion by Councilperson Dennis, seconded by Councilperson Barlow, to award the contract to Direct Energy's 24-month term. **APPROVED** (unanimous).

**10. 1<sup>st</sup> Reading of Ordinances**

**A. Ordinance #2013-10 Required Off-Street Parking**

This Ordinance establishes a one (1) space per rental room or suite.

No action at this time. The 2<sup>nd</sup> reading & adoption will be at the June 26<sup>th</sup> Council meeting.

**B. Ordinance #2013-11 Breweries – Definitions, UB2, LI1 Permitted Uses**

This Ordinance establishes definitions for a Brewery, Microbrewery, and Restaurant and Bar, Brewpub. The permitted uses of Restaurant and Bar, Brewpub and for Microbrewery will be added to §230-82 for UB2 Neighborhood Business. The permitted use of Breweries, Regional (small and large) will be added to §230-110 for LI1 Limited Industrial. No action at this time. The 2<sup>nd</sup> reading & adoption will be at the June 26<sup>th</sup> Council meeting.

**11. DEPARTMENTAL REPORTS**

**A. GENE DVORNICK – TOWN MANAGER**

**Legislative Items**

There are a few pieces of legislation we have been actively engaged with and offering comment on:

<b><u>Bill</u></b>	<b><u>Description</u></b>	<b><u>Position</u></b>	<b><u>Status</u></b>	
HB 4	Reincorporation – New Charter	Support	Signed By Governor	
HB 6	Modification to Prevailing Wage Requirements	Support	Failed in Committee	
HB 7	Prevailing Wage Opt Out	Support	Failed in Committee	
HB 27	Tax Refund Intercept for Collection of Property Taxes	Support	Passed House	
HB 81	Police Officers’ and Firefighters’ Employment Relations Act	Oppose	Passed House	Labor & Industrial Relations
HB 84	Mandatory Background Check for Candidates for Elected Office	Support	House Administration	
HB 147	Police Chief Due Process	Neutral	Out of Committee	
HB 158	Line-Of-Duty Death Benefits	Support	Public Safety & Homeland Security	
HB 167	Pre-employment Background Checks	Requested More Information	Econ Dev/Banking Insurance/Commerce	
HB 169	Compensation for Tax Exempt Properties Owned by the State	Requested More Information	House Administration	
HB 175	Worker’s Compensation	Support	Passed House	Executive Committee
SB 6	Minimum Wage	Neutral	Econ Dev/Banking Insurance/Commerce	Passed Senate
SB 65	Clean Water Advisory Council to Water Infrastructure Council	Neutral	Passed House	Out of Committee

**Georgetown Arts & Flowers**

The Town extends special thanks to the following members of Georgetown Arts & Flowers: Anita Burney, Barbara Holston, Denise Leyh, Ethel Rockemann and Louise Skerrett

The fruit of their work can be seen on The Circle, the four quadrants and around Town Hall.

### **Primeros Pasos**

The Town received a request from Primeros Pasos to act as the conduit for legislative Community Transportation Funds (CTF) funds to be used to assist with parking lot paving costs and storm water costs.

Primeros Pasos will:

- Comply with the Town's bidding requirements for this portion of the project; and
- Review the bidding and contract for the work with the Town prior to moving forward

In the past the Town has served as the conduit for these types of grant funds in the past (i.e., First State Community Action Agency). Primeros Pasos will agree to dedicate the parking and storm water portion of the property funded by the State to public use. The Town will receive the funds from the State on a reimbursement basis.

Councilperson Barlow voiced concerns over the progress of the project. When Primeros Pasos came before Council to move in those buildings, the Council gave them 6 months, and then they came back and asked for another 6 months. So now those buildings are sitting for another year. The buildings are deteriorating, we had a bad experience with Primeros Pasos before, and I don't have a lot of faith they will follow through with this.

Motion by Councilperson Barlow, seconded by Councilperson West, to agree to act as the conduit for Community Transportation Funds and requested Primeros Pasos to submit a solid timetable that the Town agrees with.  
**APPROVED (unanimous).**

### **Miscellaneous**

- Since Monday, June 3<sup>rd</sup> – the Waste Water Treatment Facility has recorded 8.5" of rain. The Inflow & Infiltration issue is having an impact on the facility (increased influent and limiting disposal due to saturated land).
- Public Works staff continues to check storm water catch basins as well as conveyance lines for debris build up and clogs.

### **B. BILL TOPPING – CHIEF OF POLICE**

Council was presented with a town wide Incident Type Report. Saturday is Open House at the Police Department; Chief Topping thanked Angela Townsend, Town Clerk, for the flyer. Also thanked Sue Barlow and Linda Dennis for getting the Police Department moving on the Open House. Cameras on the Circle should be done on Friday. Should be able to access the cameras remotely.

Councilperson Dennis voiced appreciation of the Georgetown Police Officers that go the extra mile. I appreciate it and I know the residents do also. Please pass it along that they are doing a good job.

### **12. PUBLIC COMMENT**

Correspondence was received from Dee Besche, thanking the Town for the mulch and for her Proclamation.

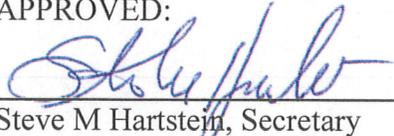
Mayor Wyatt voiced concerns with the new light arms located at the intersection of Race Street and East Market Street. The arms should not be a reflection on the current Council. Councilperson Barlow feels that DelDOT's representation (previously submitted photograph) is not the poles that are there now.

Councilperson Barlow asked that the Town write a letter of protest to DelDOT. Councilperson Dennis agreed with the letter of protest to DelDOT stating the poles were hideous. Council agreed with Councilperson Barlow's to write a letter of protest to DelDOT.

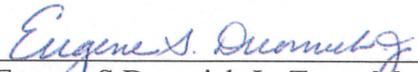
**13. ADJOURNMENT**

Motion by Councilperson Barlow, seconded by Councilperson West, to adjourn at 7:38 p.m. **APPROVED (unanimous).**

APPROVED:

  
\_\_\_\_\_  
Steve M Hartstein, Secretary

ATTEST:

  
\_\_\_\_\_  
Eugene S Dvornick Jr, Town Manager