

(TAPE IS INAUDIBLE IN SEVERAL AREAS)

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, September 11, 2013
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 4:30 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

4:30 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 Hartstein, seconded by Councilperson Barlow, to adopt the agenda as presented. **APPROVED (unanimous).**

4. APPROVAL OF AUGUST 28, 2013 TOWN COUNCIL MINUTES

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

5. DAR PROMOTES CONSTITUTION WEEK AWARENESS PROCLAMATION

Mayor Wyatt presented Donna Horvath with a proclamation promoting Constitution Week Awareness.

6. CONDITIONAL USE APPLICATION – SHADES OF BEAUTY – CASE #2013-11

An application by Clara Evans, for Conditional Use approval to operate a hair salon from her single family home. The property is located at 26 Bridgeville Road identified as Sussex County Tax District 135 Map 14.15 Parcel 31.00 zoned UR1 (Urban Residential). Public Hearing was held on August 28, 2013 holding the record open for 14 days. No comments have been received as of today, September 5, 2013. Planning Commission draft minutes recommended approval with conditions.

Conditions discussed include:

1. Property will be used as an owner-operated hair salon.
2. The business shall be a one chair operation, with no overlap of customers.
3. The business will be by appointment only.
4. Maintenance of the property shall be kept up to Code.

5. Applicant will obtain any and all necessary Federal, State, County and Town licenses required.
6. Any retail will be incidental to a hair salon.
7. Signage shall comply with UR-1 requirements.

Numerous attempts were made to contact the applicant in regards to the new scheduled time for the Council meeting. The applicant could not be reached. Councilperson Dennis asked if the applicant should be present during the discussion of conditions placed on the business and to ensure the applicant understands the conditions. Town Solicitor stated that it was not necessary for the applicant to be present for discussion of the application or the recommended conditions placed.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to approve the Conditional Use Case#2013-11 with conditions as stated in Exhibit A in addition to acquiring a 2013 Town of Georgetown Business License. **APPROVED** (unanimous).

“Exhibit A is incorporated as part of the minutes.”

7. **REQUEST FOR DEVELOPMENT ECONOMIC INCENTIVE ASSISTANCE FOR THE SHOPPES AT COLLEGE PARK**

The Town has received a letter from the Onix Group requesting the Economic Development Incentive be afforded to their project. This is for their planned construction of the retail portion of this master planned community. Town Council was presented with July 25, 2012 Town Council minutes approving the Economic Development Incentive Request for the Medical Arts Pavilion. The Economic Development Incentive was repealed with the adoption of the FY14 Budget.

Town Manager (Not Audible)

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to grant a 50% reduction of the incentive saving the Shoppes at College Park \$20,760.00. **APPROVED** (unanimous).

8. **RESOLUTION #2013-5 ESTABLISHING AN HISTORIC DISTRICT STUDY COMMITTEE**

After discussions during a recent workshop that was held with Council & Planning Commission, a suggestion was made to further study/review the Historic District's permitted uses, design standards, and possibly expanding the boundaries of the District.

As required the Mayor will appoint a Historic District Review Committee, including two members of Town Council, and residents of the Town of Georgetown, Town Planning Administrator, Town Planning Assistant, Town Clerk, three members of the Planning Commission, and a member of the Sussex County Historic Preservation Office.

The Study Committee will meet bi-monthly, and provide a monthly update to the Town Council. The Committee's initial focus shall be:

- Permitted uses in the Historic District;
- Design Standards for building materials within the Historic District;
- Feasibility of expanding of the Historic District.

Mayor Wyatt had concerns with who will break these people down into the three committees.

Mayor Wyatt asked about the 4 Town employees, Jocelyn Godwin, Jamie Craddock, Angela Townsend, and Jeff Ward and their significance to being committee members in regards to their voting powers.

Town Manager and Town Solicitor comments (**Inaudible**).

Councilperson Dennis stated that as with the Transitional Housing Task Force, the Town employees were an important part as a resource, with guidance, and with providing information, they were ad hoc members with no voting powers.

Town Solicitor stated (**Portion of Comments Were Inaudible**) this is a Committee, they have no authority, they only make recommendations to Mayor & Council.

Councilperson Dennis suggested that a closing date for conclusion of the discussions be added to the Resolution, in addition to revising the language for the design standards to "Design standards for building materials that will promote the renovation, rehabilitation and preservation of structures within the defined Historic District."

Mayor & Council agreed that a deadline of March 15, 2014 would give the Committee sufficient time to complete the study.

Motion by Councilperson Dennis, seconded by Councilperson Barlow, to adopt Resolution #2013-5 Establishing an Historic District Study Committee as amended.

APPROVED (unanimous).

"Resolution #2013-5 is incorporated as part of the minutes."

Motion by Councilperson Hartstein, seconded by Councilperson Barlow to appoint the submitted slate of 16 members to the Historic District Study Committee.

APPROVED (unanimous).

9. **URS PROPOSAL FOR FACILITATION OF HISTORIC DISTRICT STUDY COMMITTEE**

URS Corporation was contacted asking for a proposal to assist the Town in facilitation of discussion groups regarding the Historic District, and to develop consensus among the participants on recommendations for implementing possible planning tools and the feasibility of possible district expansion. Time and materials not to exceed a limit of \$11,500.

Town Solicitor (**Inaudible**)

Town Manager (**Inaudible**)

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to accept the URS Proposal not to exceed \$11,500.00 with the stipulation that the Town Solicitor (**Inaudible**).

APPROVED 4-1 Yea: Hartstein, Barlow, West, Dennis Nay: Wyatt

Mayor Wyatt felt uncomfortable about spending \$11,500 on something that he felt could be done by the committee that was just appointed. If the committee goes through all this and no changes are made we've just thrown away \$11,500.

10. DEPARTMENTAL REPORTS

A. GENE DVORNICK – TOWN MANAGER

Comprehensive Plan Amendment

The Town has been working for several years with the Montchanin Development Group regarding their property/project behind Baker's Exxon on DuPont Boulevard (US 113) at County Seat Hwy (Route 9) (Ruhl Property). In order to get their DelDOT Approval, an amendment to the Town's Comprehensive Plan, regarding the Level of Service (LOS) at the Route 9/113 intersection is required. I have distributed a copy of the application submitted to PLUS for their October Meeting.

Fountain Brickwork

Brickwork on the fountain was completed on Tuesday, September 10, 2013. There remains, minimal interior repainting, to be done by our Public Works personnel.

Volunteer – Part-time Office Assistance

The Town was contacted by an individual required to perform 20 hours of volunteer service as part of their extended unemployment benefits. This would provide assistance for answering the telephone, looking up tax and utility information, processing payment. Hours would be as follows:

- Monday: 10:00 – 4:00 (6 hours)
- Tuesday: 10:00 – 4:00 (6 hours)
- Wednesday: 12:00 – 4:00 (4 hours)
- Thursday: 12:00 – 4:00 (4 hours)

We would have a background check performed prior to beginning work.

After some discussion (**Inaudible**)

Motion by Councilperson Barlow, seconded by Councilperson Hartstein to approve the hiring of an individual performing 20 hours of volunteer service providing the background check is preformed. **APPROVED (unanimous)**.

VISA Select Business Card Procedures

The Authorized Procurement Uses of the Town's VISA Select Card have been modified to allow for the purchase of airline tickets for approved work related travel. Previously this was not allowed.

Failure to Obtain a Business License

As requested at the August 28th Town Council Meeting, language to clarify the consequences of failure to obtain a business license has been prepared (see hand out). Should this meet the approval of Mayor and Council, it will be introduced as an Ordinance at the September 25, 2013 meeting.

11. PUBLIC COMMENT

Tony Semeraro, 4 Cranberry Court, asked about the hourly rate of the professionals of URS. (**Inaudible, Few Comments Heard**) I would like to use URS sparingly, appropriate time to bring them in.

12. EXECUTIVE SESSION

The Town Council will meet in Executive Session for a strategy session, with respect to pending litigation.

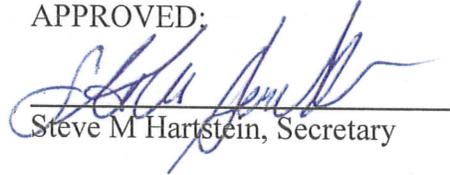
Motion by Councilperson Barlow, seconded by Councilperson Dennis, to adjourn to Executive Session at 5:15p.m. **APPROVED** (unanimous).

Executive Session exited at 6:07p.m.

13. ADJOURNMENT

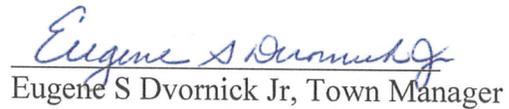
Motion by Councilperson Hartstein, seconded by Councilperson Barlow, to adjourn at 6:09p.m. **APPROVED** (unanimous).

APPROVED:



Steve M Hartstein, Secretary

ATTEST:



Eugene S Dvornick Jr, Town Manager