

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Wednesday, April 23, 2014  
**Location:** Town Hall, 39 The Circle, Georgetown, DE  
**Time:** 7:00 P.M. Regular Meeting

**PRESENT:**  
Michael R 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

**ABSENT:**  
Steve M Hartstein, Ward One  
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 THE AGENDA**  
Motion by Councilperson West, seconded by Councilperson Barlow, to adopt the agenda as presented. **APPROVED (unanimous).**
4. **APPROVAL OF MINUTES**
  - A. **APRIL 9, 2014 TOWN COUNCIL MEETING**  
Motion by Councilperson Dennis, seconded by Councilperson Barlow, to approve the minutes as presented. **APPROVED (unanimous).**
  - B. **APRIL 17, 2014 TOWN COUNCIL SPECIAL MEETING**  
Motion by Councilperson Barlow, seconded by Councilperson Dennis, to approve the minutes as presented. **APPROVED (unanimous).**
5. **ARBOR DAY PROCLAMATION**  
A Proclamation in recognition of the observance of Georgetown's Arbor Day which is part of a Tree City USA Qualification Event.
6. **GEORGETOWN PLAYGROUND & PARK INC – UPDATE**  
Chris Lecates presented Council with an overview on the progress of the Playground Committee.

**Timeline**

**Fall 2012:** – Ordinance passed restricting the playing of basketball in the Town streets for safety reasons. Committee formed, with Council's approval, to investigate playground possibilities for the residents of Georgetown.  
Location availability – Lots 4 & 8 North King Street (property owned by the Town).  
Liberty Playgrounds contacted for a design blueprint for the 120' by 60' property.  
Estimated cost by Liberty Playgrounds –

- Equipment \$97,476.80
- Installation \$35,100.00
- Wood Mulch (12" compacted depth required for safety) \$12,518.00

November/December 2012 – First mass mailings to all residents of Georgetown

Spring 2013 – Incorporated for the purpose of obtaining 501(C)3 status

July 2013 – Filed IRS form 1023-501(c)3 paperwork

November 2013 – Official notification of receipt of paperwork and application fee (\$850) from the IRS

**Where are we with funding:**

With donations from residents, community groups, Georgetown Walmart (\$5,000) and Perdue Foundation (\$10,000) we currently have \$38,957.91.

**Grants requested for additional funding:**

- Delaware Community Foundation – Capital Grant – requested \$25,000; notification in June 2014.
  - Arshnt-Cannon Grant – requested \$20,000; notification after July 1, 2014
  - M & T Bank – requested \$18,000; notification upon receipt of final verification from the IRS\*
- \*US Rep Carney's office is assisting with fast tracking this paperwork

**Current Status:**

We have been working with additional playground companies:

- Playcraft Equipment – River Valley Recreation @ Wrightsville, Pa
- Playworld Systems – George Ely Associates @ Carlisle, Pa

With both of these companies, all components including fencing, benches, picnic tables, and signage can be completed for \$100,000 - a \$66,000 savings from our first estimate.

**For Future Discussion\*:**

Maintenance Agreement

Insurance

\*We would like to ask in the Comprehensive Plan Revision that this parcel be permanently identified as Park Land in Ward 2.

Councilperson Dennis commended Ms Lecates on a tremendous amount of work she has accomplished. Councilperson Dennis asked which submitted plan was preferred. Ms Lecates stated Playcraft Equipment was more detailed with play options. Councilperson Dennis also stressed the importance of a Memorandum of Understanding between the Town and the Playground Committee that would specify each party's responsibilities. Ms Lecates concurred with Councilperson Dennis' comment in asking for further discussion of a Maintenance Agreement/Memorandum of Understanding.

Town Council thanked Ms Lecates for all her hard work and her dedication with the Playground.

7. **RESOLUTION #2014-3 DOWNTOWN INCENTIVE FOR SIGNAGE**

Working with Heritage Consulting on the Design Standards for the downtown one of the things discussed was a low cost incentive for upgrades of businesses. Councilperson Dennis stated that in conversations with DEDO, they consider this incentive a very favorably impression of the Town's efforts, which is very important

in areas of stagnant growth. This is one step of many in moving ahead, it's very worthy of consideration. Town Manager added that being Realty Transfer Tax is being used it does not affect the operating budget, and it is a legitimate use of Real Transfer Tax as far as Economic Development.

Motion by Councilperson Barlow, seconded by Councilperson West, to adopt Resolution #2014-3. **APPROVED (unanimous).**

**"The Resolution is incorporated as part of the minutes".**

8. **1<sup>ST</sup> READING OF ORDINANCES**

**A. ORDINANCE #2014-2 TRANSITIONAL HOUSING MODIFICATIONS**

A while back a comprehensive Transitional Housing Ordinance was presented and with guidance from the Town Solicitor prior to and enacting that Ordinance, it was suggested that the Town meet with someone that has expertise in the housing arena. Since then we have met with the Delaware State Housing Authority and the US Department of Housing and Urban Development. This is essentially the same Ordinance with the exception of the Conditional Use process, in which we still need to iron out. It mainly deals with definitions.

No action at this time. 2<sup>nd</sup> reading & adoption if approved is scheduled for May 14<sup>th</sup> Town Council meeting.

**B. ORDINANCE #2014-3 TRUCK AND TRACTOR PARKING**

The Town started to encounter in Ward 3 the parking of a tractor and a trailer, our Code is semi-silent to this violation, and it has also been discovered that we also have this same problem in Ward 2. The Town worked with the Code Enforcement Officer and the Town Solicitor in bringing this Ordinance to you.

No action at this time. 2<sup>nd</sup> reading & adoption if approved is scheduled for May 14<sup>th</sup> Town Council meeting.

**C. ORDINANCE#2014-4 LICENSE RESTRICTION, SUSPENSION, REVOCATION**

The proposed Ordinance addresses §130-5 Appeals from decisions of Town Manager and §130-9 License, suspension and revocation.

Councilperson Dennis asked that once a revocation decision is final following an appeal that a notice is placed in the paper stating that this business license has been revoked.

No action at this time. 2<sup>nd</sup> reading & adoption if approved is scheduled for May 14<sup>th</sup> Town Council meeting.

9. **DEPARTMENTAL REPORTS**

**A. GENE DVORNICK – TOWN MANAGER**

**Modification of King Street Water Treatment Facility Project**

The Town engineer, on behalf of the Town, has submitted a Modification of Project Scope relating to the King Street Water Treatment Facility Upgrades. This modification seeks to cover the cost of the second well being installed as part of the South Railroad Avenue project. The cost associated with the second well is a total of \$414,728.50. The Office of Drinking Water has been put on notice the Town may seek additional funding for the King Street Project; however, the amount, if any, will not be known until the design is complete and construction bids are received.

**Tree City USA**

The Town took delivery of the Star Magnolia tree from the Delaware Forest Service in recognition of our becoming a Tree City USA. It has been planted at the new playground along North King Street. Additionally, we received five (5) Tree City USA signs to install at each entrance to Town and a plaque for public display.

**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 & Zoning (Animal Grooming):** Draft ordinances will have Public Hearing with the Planning Commission at their May 21, 2014 meeting.
- **Buffering Requirements:** Initial draft is being reviewed by staff.

**2014 Municipal Election**

**REMINDER:** The Annual Municipal Election will be held on Saturday, May 10<sup>th</sup>, 2014 with the polls open 1:00 PM to 7:00 PM. New voter registration deadline is Friday, April 25<sup>th</sup>, 2014 at 4:30 pm.

**Miscellaneous**

- Upcoming Events:
  - Delaware League of Local Governments, Thursday, April 24<sup>th</sup>, 6:00 PM, Dover Downs
  - Sussex County Association of Towns, Wednesday, May 7<sup>th</sup>, 6:00 PM, Dewey Beach
- Service Anniversaries

<u>Employee</u>	<u>Department</u>	<u>Years</u>
Elaine Reynolds	Meter Attendant	7

**Legislative Items**

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

<u>Bill</u>	<u>Description</u>	<u>Position</u>	<u>Status</u>	
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	Finance
HB 81	Police Officers' and Firefighters' Employment Relations Act	Oppose	Passed House	Out of Committee
HB 147	Police Chief Due Process	Support	Signed by Governor	

HB 158	Line-Of-Duty Death Benefits	Support	Passed House	Passed Senate
HB 169	Compensation for Tax Exempt Properties Owned by the State	Requested More Information	House Appropriations (Tabled in Committee)	
HB 287	Establishes a Set Prevailing Wage	Oppose	House Administration <b>Reassigned to Labor</b>	
SB 23 w/ SA 1	Municipalities and Limitations on Firearm Regulations	Neutral		Judiciary
SB 191	Downtown Development Districts	Support		Community/County Affairs <b>Hearing 04/30/14</b>
	<b>Clean Water Funding</b>			
	<b>Gasoline Tax Increase</b>			

**10. AWARD OF THE S. RAILROAD AVE. PRODUCTION FACILITY, CONTRACT B: WATER TREATMENT PLANT**

As part of the Town Manager's report the Modification of Project Scope relating to the King Street Water Treatment Facility Upgrades. This modification seeks to cover the cost of the second well being installed as part of the South Railroad Avenue project. The cost associated with the second well is a total of \$414,728.50. With that modification it's the recommendation of the Town Manager, Town Engineer, and Director of Public Works to award the contract to Teal Construction, Inc in the amount of \$1,555,647.00.

Motion by Councilperson Barlow, seconded by Councilperson West, to award the contract to Teal Construction, Inc in the amount of \$1,555,647.00. **APPROVED (unanimous)**.

**11. PUBLIC COMMENT**

No public comment

**12. EXECUTIVE SESSION**

The Town Council will meet in Executive Session for a personnel matter on which the name, competency and ability of an individual employee is discussed

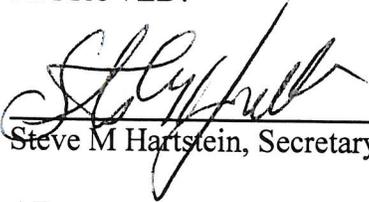
Motion by Councilperson Barlow, seconded by Councilperson Dennis, to adjourn to Executive Session at 7:47p.m. **APPROVED (unanimous)**.

Executive Session exited at 8:52p.m.

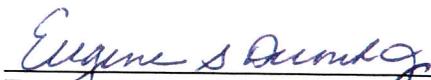
**13. ADJOURNMENT**

Motion by Councilperson Dennis, seconded by Councilperson Barlow to adjourn at 8:53 PM. **APPROVED (unanimous).**

APPROVED:

  
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Steve M Hartstein, Secretary

ATTEST:

  
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Eugene S Dvornick Jr, Town Manager