

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, August 13, 2014
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

PRESENT:

Bill West, Mayor
Steve M Hartstein, Ward One
Sue H Barlow, Ward Two
Chris Lecates, Ward Three
Dave Anderson, Ward Four

STAFF PRESENT:

Angela Townsend, Town Clerk
Stephani J Ballard, Town Solicitor
Eugene S Dvornick, Jr, Town Manager
Bill Bradley, Director of Public Works

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor West led the Pledge of Allegiance.

2. INVOCATION

Mayor West led the Invocation.

3. ADOPTION OF THE AGENDA

ITEM#5 PRESENTATION TO THE 2014 LITTLE LEAGUE GIRLS 9-10 YEAR OLD STATE CHAMPIONS was deleted.

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

4. APPROVAL OF JULY 23, 2014 TOWN COUNCIL MINUTES

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

5. PRESENTATION TO THE 2014 LITTLE LEAGUE GIRLS 9-10 YEAR OLD STATE CHAMPIONS

This item was deleted with the adoption of the agenda.

6. CONDITIONAL USE – FRED TANA – CASE #2014-7

An application by the Fred Tana and Chris Dawson, for Conditional Use approval to allow two residential rental units behind a single family residential structure. The property is located at 602 North Bedford Street, identified as Sussex County Tax District 135 Map 14.00 Parcel 174.00 zoned UR1 (Urban Residential).

No comments have been received since the last Council meeting.

Councilperson Barlow voiced problems with approving this application, the Town has always had an ordinance to allow one residential unit per lot, and this is going to put 3 residential units per lot. Second problem I have is the upstairs is too small, the downstairs has 4 bedrooms, which to me is warehousing people. I cannot agree that this is a good thing.

Councilperson Lecates stated that after discussion from the last meeting the applicant would comply with converting the bottom apartment from 4 bedrooms to 2 bedrooms. I visited the property today, and was told that he would like to rent the upstairs and finish completing the downstairs in approximately 3 months timeline, and then Mr Tana will make the initial improvements to the property which I believe is about 2 acres.

Fred Tana stated he had the drawing as requested by the Council; I have eliminated 2 bedrooms with the bottom apartment making a larger living area.

Town Manager stated that Attorney, John Sergovic stated the applicant was asking a 5 year Conditional Use.

Mayor West explained to the applicant that the Council can put conditions on as part of the Conditional Use, and if those conditions are not followed the Council had the authority to pull the Conditional Use.

Mr Tana stated he can rent to a single family but he has no control over how many people actually live in the apartment/house. I have no control over that. There is one full family currently in the front house.

Mayor West asked Mr Tana how often he checked on his property. Mr Tana's response was every 2 to 3 months, first giving tenants 48 hour notice. Mayor West asked how he collected the rent; Mr Tana responded that the responsible tenants deposit it into County Bank, if not when they (tenants) get \$200 to \$300 ahead if I don't collect it, they (tenants) usually drink it or gamble it away.

Councilperson Anderson voiced concerns with the total number of vehicles between the house and the garage. It's another rental in Georgetown; personally we have too many rentals in Georgetown. There is also a bad exit for the property where it's situated. I want to see more home ownership, owner occupied.

Mr Tana stated the site drawing shows 6 allowed parking spaces. Mr Tana's dream is to recoup his money to start putting in the infrastructure and clear the land to put single-family homes in there.

Councilperson Barlow doubted that Mr Tana could recoup his money through this rental in 5 years to install infrastructure for a housing development. How much rent could you possibly charge, with infrastructure being expensive.

Mayor West asked about subdividing the property.

Councilperson Barlow stated that in order to have a single family home per lot which is what the Town requires, Mr Tana would have to subdivide this lot. The structures are so close together I don't know if we could get a 60' X 100' lot.

Town Manager stated another issue is the water and sewer both run to the main house, and one meter and one lateral runs to the out building.

Mayor West stated that the upstairs apartment would be crammed with at least two people; it would have to be just one person.

Bill Bradley, Director of Public Works stated that a 1" service line runs into the main house and 1" service will be running back to the 2 apartments, if you have 3 apartments on a 1" service who is going to be responsible if you don't have enough water. Upgrades would need to be made to the lines and the water meter which involve making cuts into a State maintained roadway.

Town Manager stated that cuts into a State maintained roadway is significantly more costly than if it's a Town maintained roadway.

Mayor West recommended tabling this item until the water issue is addressed along with the possibility of subdividing the property

After further discussion Mr Tana was advised that he would bear the cost of joining to the existing Town's infrastructure. The cost of running the water lines and sewer lines would be borne by him.

Mayor West stated this item will be placed on the August 27, 2014 Town Council meeting agenda for further discussion after all the information (water flows, subdividing, impact fees) has been gathered.

7. EMERGENCY SERVICES FUND REQUEST – GEORGETOWN AMBULANCE – STATION 93

The American Legion Ambulance Service would like to request \$2,500.00 for the Emergency Contingency Fund in an effort to raise money to purchase ballistic vests for our personnel. The vests are needed for protection on EMS calls on a daily basis and have become necessary.

Motion by Councilperson Lecates, seconded by Councilperson Hartstein, to approve the request of \$2,500.00 from the Emergency Contingency Fund. **APPROVED (unanimous).**

8. REDESIGN OF THE TOWN'S FLAG

To allow for discussion and comment on the initial designs submitted by Ben Muldrow.

After discussion the submitted designs were much too dark. The overall background needs to be the light blue background as in the pin.

Mayor West appointed Councilpersons Barlow and Lecates to work with the Town Manager on redesigning the flag.

9. DISCUSSION ON AMENDING ORDINANCE #2014-6 SIGNS §230-176 (H) SIGNS PERMITTED IN ALL DISTRICTS

There has been some discussion with town merchants that if they hang their 3' by 5' flag at an angle so the bottom is 6 feet above the sidewalk, the top of the pole may exceed the 10 ft. height restriction as stated in the Code (see below).

§ 230-176. Signs permitted in all districts.

The following signs are permitted in all districts:

H. Businesses may have one standard three feet by five feet flag with the word "open" on it and mounted on a pole only during business hours. Flags must be at least six feet above grade and **a maximum height of 10 feet**, and must not block the sidewalk, right-of-way or obscure the visibility of pedestrians or vehicular traffic.

Councilperson Lecates stated that when a flag is hung at an angle the tip of the pole is above 10'. I believe our main concern is that the flag is no lower than six feet above the grade.

After discussion Council agreed to eliminate the maximum height of 10' with the condition that no flag shall be installed on the second story of a building.

Motion by Councilperson Lecates, seconded by Councilperson Barlow to eliminate the maximum height of 10' and no flag shall be installed on the second story of a building. **APPROVED (unanimous).**

10. PROPOSED FORMATION OF A COMMERCIAL/RESIDENTIAL DEVELOPMENT COMMITTEE

Councilperson Lecates recommended formation of an Economic Growth Committee which currently is Mayor West and Councilperson Lecates. Councilperson Lecates felt the committee would be beneficial to the Town as being pro-active to entice people and development coming to Town. We would like to make presentations to real estate and engineering firms to let them know we are pro-active for residential development or commercial development. The committee would like to contact interested parties and offer any assistance to have commercial business or residential areas become a part of our community. Councilperson Barlow encouraged the idea but warned of making any promises. Town Solicitor advised the committee on promises that might at a later date come before Council as a vote.

Councilperson Lecates asked that any inquiries made in person at Town Hall or on the phone is forwarded to the Committee for follow-up. Town Manager stated that process is already in place.

Councilpersons Anderson and Hartstein were in favor of the formation of the Committee.

Motion by Councilperson Barlow, seconded by Councilperson Hartstein to approve the formation of the Economic Growth Committee. **APPROVED (unanimous)**.

11. 1ST READING OF ORDINANCES

A. ORDINANCE #2014-7 HOTEL & MOTEL CODE

Since the first reading, the following modifications have been made to guest register and occupant definitions, and the clarification of guest register and also removed the word manager. No action at this time, the second reading will be August 27th Council meeting.

12. DEPARTMENTAL REPORTS

A. GENE DVORNICK – TOWN MANAGER

Georgetown Point Roadways

The Town received notice from Habitat for Humanity the roads within Georgetown Point are scheduled to be finished August 18 & 19. Upon completion and final acceptance the Town will assume maintenance responsibility.

Surface Water Project Planning Grant

The Town is working with URS to prepare and submit a Surface Water Project Planning Grant to the Water Infrastructure Advisory Committee. The project covers the area to the north of Teal Court, the tip of the Georgetown Vaughn Tax Ditch (Dunbarton Apartments) extending under North Front Street to the culvert at Route 113.

Potential project partners include:

- Delaware Forest Service – Urban & Community Forest Program;
- DNREC – Division of Watershed Stewardship, Water Assessment Section;
- Georgetown-Vaughn Tax Ditch Association;
- Sussex Conservation District; and

- Town of Georgetown.

Grant applications are allowed a maximum of \$150,000 with a 1:1 cash match. The application deadline is Thursday, August 28, 2014.

Tree Survey

Representatives of the Delaware Forest visited Town last Monday, August 4th to look at the trees along East Market Street and the signs of distress being shown. Several trees are showing signs of new growth while others are not. Soil samples were taken and a reduction in watering was advised. The supplier, Nanticoke Nursery, has also been contacted. The Forest Service hopes to identify the cause and formulate an action plan.

North King Street Railroad Crossing

The Town received notice from Representative Ruth Briggs-King that the railroad crossing at South King Street in the area of the Post Office should be repaired by October.

B. BILL BRADLEY – DIRECTOR OF PUBLIC WORKS

The South Railroad Avenue Water Plant Project is a little ahead of schedule at this time. The building is constructed and the generator is set in place. I am very pleased with the work and progress of the project so far.

We will be taking the Lynch Lane Water Tower out of service on the 18th to have a washout and cleaning of this tower. The Tower will be back in service on the 20th. DTCC Tower is scheduled for the 8th of September, after which we will notify residents and schedule a complete flushing of the Town's water system.

We have started to repaint the fire hydrants according to their flow rates to stay compliant with regulations.

The Public Works Department has been cutting grass at all the parks and Town properties' and started a cleanup of the streets and curbing in preparation of painting so we can beautify the Town for Return Day this year.

Mayor West commended the Public Works Department on all their hard work with the stage set-up and tear down for the Concerts.

13. PUBLIC COMMENT

Linda Dennis, 4 Huckleberry, voiced possible discussions on some possible areas of improvement with the ordinance on Hotels & Motels. One area is the condition of children within these facilities for extended periods of time, this needs to be monitored, any violations should be reported to Children's Services. Concerned about welfare families with children that should perhaps be attending school. Also, perhaps looking at a separate business license specifically for these types of facilities. Asking Council to consider inclusion of the number of fire, police and ambulance calls and including a section on a range or percentage of these calls and looking at a fine structure for that might also be useful.

The occupancy standards that came up earlier this evening were the result of the Transitional Housing Report. There are still loose ends out there, and we need to tie up that report, since it's been 2½ years, there was a lot of effort going into the report and it is very important. It is one step along with the Hotel & Motel process in looking at a continuum of housing issues that continue to plague the Town. There is a blight and unfortunately it does involve rental properties. The Town's hands have been tied with rental properties and we need to look at that issue very strongly and decide to come up with an approach that either vacates

that settlement or does something to get stronger code enforcement for property owners. Talk about negative comments from community residents, the Village has increased traffic in sales moving to Georgetown, they like what they see, but when they drive around it's not so much. Very important to take some decisive actions on rentals and code enforcement to start cleaning up some of these properties.

Mayor West agreed with Ms Dennis and the landlord issue. There has to be some kind of control that we have to put on these people.

Ms. Dennis stated that if we start somewhere to take a step forward on rental properties, the word gets out that the Town is serious about cleaning up the Town.

Mayor West agreed that all it takes is 2 or 3 and accountability will take over.

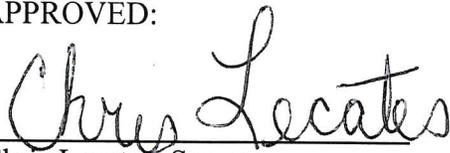
Mayor West thanked Ms. Dennis for her participation and involvement.

Councilperson Lecates stated the she has started a Christmas Decoration Committee. The Committee will analysis what we have on hand and then we will put together some ideas for Christmas decorations and purchase the decorations to help make the Town look more festive. All decorations purchased will be through donations, that's why I don't need Council to be part of this. I just want to make you aware that we will be putting new things downtown. As soon as we get our plan together, I will bring the whole look back to you for your approval.

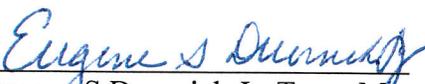
14. ADJOURNMENT

Motion by Councilperson Barlow, seconded by Councilperson Hartstein, to adjourn at 8:07PM. **APPROVED (unanimous).**

APPROVED:


Chris Lecates, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager