

TOWN OF GEORGETOWN TOWN COUNCIL MEETING AGENDA

Meeting Date: Wednesday, October 8, 2014
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of September 24, 2014 Town Council Minutes
5. Proclamations
 - A. Fire Prevention Week
 - B. Breast Cancer Awareness Month
6. 1st Reading of Ordinances
 - A. Ordinance #2014-11 Water
7. 2nd Reading & Adoption of Ordinances
 - A. Ordinance #2014-9 Signage Height
8. Sewer Impact Fee Consideration
9. Departmental Reports
 - A. Gene Dvornick – Town Manager
 - B. Eric Rust – Superintendent of Wastewater Reclamation Facility
10. Public Comment
11. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).



PROCLAMATION

For

Fire Prevention Week

WHEREAS, the Town of Georgetown is committed to ensuring the safety and security of all those living in and visiting our town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,500 people in the United States in 2011, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 370,000 home fires; and

WHEREAS, cooking is the leading cause of home fires in the United States where fire departments responded to more than 156,000 annually between 2007 and 2011; and

WHEREAS, two of every five home fires start in the kitchen and unattended equipment was a factor in one-third of the reported cooking fires; and

WHEREAS, 57% of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves and children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

WHEREAS, Georgetown residents should stay in the kitchen when frying food on the stovetop, keep a three-foot kid-free zone around cooking areas and keep anything that can catch fire away from stove tops; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Georgetown's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Georgetown's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

THEREFORE, I Bill West, Mayor of the Town of Georgetown do hereby proclaim October 5th -11th, 2014, as Fire Prevention Week throughout the Town, and I urge all the people of Georgetown by checking their kitchens for fire hazards and using safe cooking practices during Fire Prevention Week 2014, and to support the many public safety activities and efforts of Georgetown's fire and emergency services.

In Witness Whereof, I have hereunto set my hand and caused the Seal of this town to be affixed this 8th day of October, 2014.

Bill West, Mayor



PROCLAMATION

For

Breast Cancer Awareness Month

WHEREAS, a woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U.S., other than skin cancers; and

WHEREAS, through research significant advances have been made in the fight against breast cancer, including an increase in five-year relative survival rates for localized breast cancer from 74% to 98%; and

WHEREAS, the 2.5 million breast cancer survivors living in the U.S. today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected; and

WHEREAS, various organizations are spreading breast cancer awareness to both women and men through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and the Town of Georgetown would like to support and encourage these ongoing efforts on behalf of our citizens; and

WHEREAS, throughout the month of October, women are encouraged to make a renewed commitment to following recommended screening guidelines and to make a mammogram appointment; and

WHEREAS, throughout the month of October, organizations and health practitioners in this Town are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms; and

WHEREAS, the Town of Georgetown recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month; therefore

BE IT RESOLVED, that the Town of Georgetown, on behalf of all the residents of Georgetown, does hereby proclaim the month of October as

BREAST CANCER AWARENESS MONTH

and urges all residents to take steps to get life-saving mammograms and educate themselves, their families, and the community about breast cancer.

In Witness Whereof, I have hereunto set my hand and caused the Seal of this town to be affixed this 8th day of October, 2014.

Bill West, Mayor



ORDINANCE NO. 2014-11

AN ORDINANCE TO AMEND THE CODE TO THE TOWN OF GEORGETOWN, CHAPTER 222, WATER

BE IT ENACTED by the Council of the Town of Georgetown as follows:

Section 1. Chapter 222, Water, of the Code of the Town of Georgetown is hereby amended:

ARTICLE I. Rates

- § 222-1. Rates established.
- ~~§ 222-2. Calculation of water use billings.~~
- ~~§ 222-3. Meters to which more than one EDU is connected.~~
- § 222-4 2. Sprinkler rates.
- ~~§ 222-5. Private hydrants.~~
- § 222-6 3. Bulk user rate for commercial users.
- ~~§ 222-7. Short term service to commercial/industrial users.~~
- ~~§ 222-8. Effective date.~~

ARTICLE II. Disconnection and Reconnection

- § 222-9 4. Procedure for disconnection due to nonpayment of bills.
- § 222-10 5. Reconnection fee.
- ~~§ 222-11. Administrative fee.~~
- § 222-12 6. Meter calibration **flow test** fee.
- § 222-13 7. Only authorized persons to reconnect water service.

ARTICLE III. Private and Public Cross-Connections

- § 222-14 8. Connection to public system prohibited.
- § 222-15 9. Cross-connection between town system and other sources prohibited.
- § 222-16 10. Definitions.
- § 222-17 11. Violations and penalties.

ARTICLE IV. Users Located Outside of Town

- § 222-18 12. Compliance with town regulations required.
- § 222-19 13. User charges.

ARTICLE V. Rates for Users Located Outside of Town

- § 222-20 14. Rates established.
- ~~§ 222-21. Effective date.~~

ARTICLE VI. Disconnection from Public System

- § 222-22 15. Disconnection from public system to connect to private system prohibited.

- § 222-23 16. Definitions.
§ 222-24 17. Violations and penalties.

ARTICLE VII. Water Availability

- § 222-25 18. Quarterly availability charge.
§ 222-26 19. Charge established.
§ 222-27 20. Definitions.
§ 222-28 21. Connected lots or parcels.
§ 222-29 22. Collection of charge.

ARTICLE VIII. Connection Charge and Impact Fee

- § 222-30 23. Water impact fees.
§ 222-31 24. Water connection fees.
§ 222-32. Effective date.

Article I. Rates

§ 222-1. Rates established.

Water rates within the corporate limits of the Town of Georgetown are pursuant to §98-5, as follows:

Meter Size (inches)	Minimum Rate Per Quarter
5/8 and 3/4	\$30.00
1	\$50.00
1 1/4 and 1 1/2	\$70.00
2	\$90.00
3	\$115.00
4	\$155.00

~~§ 222-2. Calculation of water use billings.~~

~~Water usage shall be billed at the rate of \$2.50 per 1,000 gallons per quarter. Minimum rates as set forth in § 222-1 herein include no water usage.~~

~~§ 222-3. Meters to which more than one EDU is connected.~~

~~With respect to those water meters to which more than one equivalent dwelling unit (EDU) is connected, there shall be an additional charge of \$30 per EDU per quarter for each EDU greater than one.~~

§ 222-4 2. Sprinkler rates.

A. Quarterly sprinkler rates shall be pursuant to §98-5 . as follows:

Sprinkler Size (inches)	Rate
1	\$125.00
2	\$250.00
8	\$300.00

~~B. New customers are required to install a meter on the sprinkler system line.~~

~~§ 222-5. Private hydrants.~~

~~The rate for private hydrants shall be \$50 each per quarter.~~

~~§ 222-6~~ 3. Bulk user rate for commercial users.

There is hereby established a bulk user rate for commercial users of the municipal water system who qualify as bulk users. For purposes of this provision, a "bulk user" shall mean a commercial user of the water system which averages 150,000 gallons per day usage per meter for a consecutive period of 30 days. The Town Manager is authorized to negotiate an agreement with said customer, subject to approval by the Town Council, which, among other things, provides for imposition of the bulk user rate during that portion of the fiscal year when the customer meets the bulk user definition. ~~The bulk user rate shall be \$1.25 rate per 1,000 gallons per quarter.~~

~~§ 222-7. Short term service to commercial/industrial users.~~

~~The Town Manager is hereby authorized to engage in negotiations with any commercial/industrial operation within the corporate limits of the Town of Georgetown, currently provided water through a private water supply, which requests a temporary connection to the town's water system, not to exceed six months, due to difficulties experienced in an established private water supply. The Town Manager is authorized to negotiate an agreement with said potential customer, subject to approval by the Town Council, which, among other things, provides for the imposition of an interim water rate, specifies the size and type of water connection and water meter and authorizes disconnection of service if the town determines, in its sole discretion, that it is not capable of continuing to provide said service.~~

~~§ 222-8. Effective date.~~

~~This article shall become effective May 1, 1994, following its adoption by a majority vote of the Town Council of the Town of Georgetown.~~

§ 222-9 ~~4~~. Procedure for disconnection due to nonpayment of bills.

Water service may be disconnected by the Town of Georgetown for nonpayment of water and sewer service bills, pursuant to the following procedure:

A. A notice shall be sent by mail to the owner of any property provided with water or sewer service in the Town of Georgetown at the last-known billing address of such owner, and also to any tenant of said property provided with water or sewer service in the Town of Georgetown, notifying the owner and tenant of said property that water service will be disconnected at said property due to nonpayment of water or sewer bills, at a date stated in the notice, said disconnection date to not be sooner than 14 calendar days following the mailing of said notice. A similar notice shall be posted on the structure receiving water or sewer service. If the tenant of any said property cannot be located after reasonable effort, posting shall suffice as notice to the tenant.

§ 222-10 ~~5~~. Reconnection fee.

A reconnection fee ~~in the amount of \$100 (\$150 for each subsequent reconnection within a period of one year)~~ **pursuant to §98-4** shall be paid to the Town of Georgetown, in addition to the payment of water and sewer bills which are in arrears, in order that water service can be restored.

~~§ 222-11. Administrative fee.~~

~~An administrative fee in the amount of \$10, to be made a part of the next water or sewer billing, shall be assessed against any water or sewer customer to whom a notice pursuant to § 222-9A and B herein must be sent.~~

§ 222-12 ~~6~~. Meter ~~calibration~~ **flow test** fee.

A water ~~calibration~~ **flow test** fee ~~in the amount of \$25~~ **pursuant to §98-4** shall be paid to the Town of Georgetown for the cost of those services associated with the determining and/or verifying of the calibration of water meters. Said fee shall not be assessed if, after verification of calibration, it is determined that the meter was incorrectly measuring flow. ~~in the favor of the Town of Georgetown.~~ Billing for inaccurately billed water or sewer service shall be estimated from previous readings, and any adjustments made following the next meter reading.

§ 222-13 ~~7~~. Only authorized persons to reconnect water service.

No person other than those persons under the direction of the Town Council of the Town of Georgetown shall reconnect water service following disconnection pursuant to § 222-9 **4** herein. Any person violating this section shall be guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$25 nor more than \$100 and shall pay the costs of prosecution for each offense.

Article III. Private and Public Cross-Connections

§ 222-14 **8**. Connection to public system prohibited.

No person shall cause any building to be connected, or permit any building to be connected, or allow any building to remain connected, or shall connect any building to the public water supply system of the Town of Georgetown, while any portion of the water supply system of said building is connected to any other source of water, including a private well; provided, however, that nothing herein shall prevent a property owner from maintaining a private well on the premises for the sole purpose of providing water for exterior irrigation purposes, as long as there is no cross-connection between the public water supply system of the Town of Georgetown and said well.

§ 222-15 ~~9~~ **9**. Cross-connection between town system and other sources prohibited.

There shall be no cross-connection between the public water supply system of the Town of Georgetown and any other source of water.

§ 222-16 ~~10~~ **10**. Definitions.

As used in this article the following terms shall have the meanings indicated:

PERSON - Any individual, natural person, joint-stock company, partnership, voluntary association, society, club, firm, company, corporation, business trust or organization or any other group acting as a unit.

§ 222-17 ~~11~~ **11**. Violations and penalties.

Any person who shall violate any of the provisions of this article or fail to comply therewith shall be guilty of a misdemeanor and shall be liable to pay a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense.

Article IV. Users Located Outside of Town

§ 222-18 ~~12~~ **12**. Compliance with town regulations required.

Any user of the municipal water system of the Town of Georgetown who requests the furnishing of water from the town system to a place or property outside the corporate limits of the Town of Georgetown, and who is provided the same by the Town of Georgetown, shall be subject to any and all ordinances, rules and regulations applicable to the town's water system and use thereof, whether currently enacted or to be enacted in the future. Acceptance of water service by an out-of-town user shall constitute an agreement by said user to comply with and be subject to any such ordinances, rules and regulations.

§ 222-19 ~~13~~ **13**. User charges.

Nothing herein shall require the town to charge the same water rates or other water system charges to users located outside the corporate limits of the town as those charges to users located within the corporate limits of the town.

Article V. Rates for Users Located Outside of Town

§ 222-20 **14**. Rates established.

A. There is hereby imposed on users of the municipal water system of the Town of Georgetown, to a place or property outside the corporate limits of the Town of Georgetown, the same quarterly water use rates as those which are imposed within the corporate limits of the Town of Georgetown, pursuant to ~~§98-5, Article I, Rates, of this chapter, as amended, except that the following minimum rate schedule and sprinkler rate schedule are hereby imposed:~~

Meter Size (inches)	Minimum Rate Per Quarter
5/8 and 3/4	\$40.00
1	\$60.00
1 1/4 and 1 1/2	\$80.00
2	\$100.00
3	\$125.00
4	\$165.00

Sprinkler Size (inches)	Rate
1	\$135.00
2	\$260.00
8	\$310.00

~~B. The minimum shall include the first 4,000 gallons of use per quarter. For each additional 1,000 gallons of use up to 26,000 gallons, there shall be an additional charge of \$2.50. For each additional 1,000 gallons of use over 30,000 gallons, there shall be an additional charge of \$3.~~

~~§ 222-21. Effective date.~~

~~This article shall become effective on March 24, 1993, following its adoption by a majority vote of the Town Council of the Town of Georgetown.~~

Article VI. Disconnection from Public System

§ 222-22 **15**. Disconnection from public system to connect to private system prohibited.

No person whose building or property is connected to the public water supply system of the Town of Georgetown shall voluntarily cause or permit said building or property to be disconnected from the public water supply system of the Town of Georgetown and connected to a private well.

§ 222-~~23~~ **16**. Definitions.

As used in this article, the following terms shall have the meanings indicated:

PERSON - Any individual, natural person, joint-stock company, partnership, voluntary association, society, club, firm, company, corporation, business trust or organization or other group acting as a unit.

§ 222-~~24~~ **17**. Violations and penalties.

Any person who shall violate any of the provisions of this article or fail to comply therewith shall be guilty of a misdemeanor and shall be liable to pay a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense.

Article VII. Water Availability

§ 222-~~25~~ **18**. Quarterly availability charge.

There is hereby imposed a quarterly water availability charge for each improved lot or parcel within the corporate limits of the Town of Georgetown which is not connected to the town's public water supply system, to be paid by the owner of said lot or parcel.

§ 222-~~26~~ **19**. Charge established.

The water availability charge shall be as follows: **pursuant to §98-5.**

~~A. Thirty dollars per quarter per equivalent dwelling unit (EDU) for residential uses.~~

~~B. Eighty dollars per quarter for the first EDU for nonresidential uses, and \$30 per quarter for each additional EDU for nonresidential uses, up to a maximum of \$1,000 per quarter.~~

§ 222-~~27~~ **20**. Definitions.

As used in this article, the following terms shall have the meanings indicated:

IMPROVED LOT OR PARCEL - That lot or parcel upon which a residential, commercial, industrial or other structure or use exists, whether inhabited or uninhabited.

§ 222-~~28~~ **21**. Connected lots or parcels.

For purposes of this article, a lot or parcel is not connected to the town's public water supply system unless:

A. Actual use of the system occurs and payment for that use takes place.

B. All portions of the water supply system on the lot or parcel, which have or normally have corresponding wastewater disposal facilities, receive water from the town's public water supply system.

§ 222-29 ~~22~~. Collection of charge.

The water availability charge imposed by this article shall be collected by the Town Manager by any legal means available for the collection of charges due the Town of Georgetown.

Article VIII. Connection Charge and Impact Fee

§ 222-30 ~~23~~. Water impact fees.

A. Purpose. The purpose of this article is to establish appropriate provisions for the equitable distribution of the debt service associated with the water system improvements of the town and to be sure that the cost of such debt service is proportionally borne by those who receive the benefits of the sewer system improvements constructed with the associated bond revenues.

B. Definitions.

ANNUAL PRODUCTION DAYS - The number of days per year a structure is open for business as documented by verifiable records.

EQUIVALENT DWELLING UNIT (EDU) - A term used to express the load produced on a water system approximately equal to one dwelling place or ~~300~~ 225 gallons per day.

IMPACT FEE - A one-time fee imposed by the town upon the owner(s) of any new, remodeled, restored or enlarged residential, commercial, institutional or industrial structure or structures or any combination thereof which results in an increased water flow from the existing water distribution system.

WATER FLOW - Shall be determined by water consumption in accordance with water meter readings.

C. Fees. Prior to issuance of a certificate of occupancy by the Town Manager or other duly authorized representative, all developers or owners of newly constructed structures or enlarged/improved existing structures requiring water service shall pay prior to the issuance of a building permit a sum ~~in accordance with the table below, per EDU,~~ **pursuant to §98-5** to the Town of Georgetown. The town reserves the right to bar occupancy of any such structure and withhold sanitary sewer service until such time as the aforementioned fee is paid in full.

	1997/98	1993	Total
Stair-Step Impact Fee	Water	Bond	Water
Phase-In	Facility	Issue	Impact
	Upgrade	Portion	Fee
Years 1-5 after passing of ordinance	25	406	431

Stair-Step Impact Fee Phase-In	1997/98 Water Facility Upgrade	1993 Bond Issue Portion	Total Water Impact Fee
Years 6-10 after passing of ordinance	78	1,303	1,381
Years 11-15 after passing of ordinance	127	2,317	2,444
Years 16-20 after passing of ordinance	170	3,276	3,446

~~Impact fees shall be reviewed every five years by the Mayor and Council and may be adjusted to match changes in debt service.~~

D. Assessment of impact fee.

(1) Impact fees shall be assessed as outlined below:

Type of Structure	Assessment
A. Any single-family residential dwelling with one kitchen and one or more baths	1.0 EDU
B. Any multifamily residential dwelling with one kitchen and one or more baths (per unit)	1.0 EDU
C. Any commercial, institutional or industrial structure	<u>Chapter 176 attachment 1</u> Based on water consumption minimum 1 EDU

(2) The number of EDU's for structures under category C shall be estimated by the town engineer in accordance with published flow data. After one year of operation said structures shall be evaluated and the number of EDU's recalculated based on the following formula:

$$\text{Water flow per year in gallons @ (production days x } \del{300} \mathbf{225} \text{ gal/day/EDU)}$$

(3) Results will be rounded up to full number.

(4) The impact fee adjustment shall be billed or refunded at the time of the next regularly scheduled billing.

§ 222-~~31~~ **24**. Water connection fees.

A. Purpose. The purpose of the water connection fee is to establish a means to recover the town's cost of installing water service lines, water meters and meter pits.

B. Definitions.

WATER CONNECTION FEE - That one-time fee, rate, charge or assessment imposed by the Town Council on an owner of a new, remodeled or restored residential, commercial, institutional or industrial structure or structures, or any combination thereof, served or to be served by the town to defray the cost of installing water service lines, meter assemblies and connections to water mains. All service taps on existing water mains shall be installed by the Town of Georgetown or its designated representative. New mains installed at the expense of a developer may be tapped by a licensed contractor only upon prior approval by the Town of Georgetown.

C. Fees.

(1) The water connection fee shall be assessed in an amount equal to the actual cost of installation in instances where the cost of said installation exceeds the established minimum service connection fee of \$600 **pursuant to §98-5**.

(2) All service connection fees for multifamily residential units served through a common service pipe with master or gang type metering, such as an apartment, townhouse, condominium or other dwelling unit, shall be assessed a separate fee per unit.

(3) Fire service connections shall be exempt from the above-referenced service connection fee and shall be addressed separately as ~~outlined below:~~ **pursuant to §98-5**.

Size of Fire Service Line (inches)	Fee
4	\$3,000, plus actual cost to install
6	\$3,500, plus actual cost to install
8	\$4,000, plus actual cost to install
10	\$6,000, plus actual cost to install

~~§ 222-32. Effective date.~~

~~This article shall take effect on August 1, 1997, following its adoption by a majority of the Town Council of the Town of Georgetown.~~

Section 3. This Ordinance shall take effect upon its adoption by a majority of the vote of the Town Council.

ADOPTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____, A.D., 2014

Bill West, Mayor

Chris Lecates, Secretary

1st Reading: Oct 8, 2014
2nd Reading: Oct 22, 2014
Adoption: Oct 22, 2014



ORDINANCE NO. 2014-9

**AN ORDINANCE TO AMEND THE CODE TO THE
TOWN OF GEORGETOWN, CHAPTER 230, ZONING**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter §230, Zoning, of the Code of the Town of Georgetown is hereby
amended as follows:

§ 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” **or similar wording**, 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. **Flags are not counted in the computation of permissible sign area. Display of flags from the second story is prohibited. This regulation shall not apply to display of any national, state, county or municipal flag.**

Section 2. This Ordinance shall become effective following its adoption by a
majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the
_____ day of _____ A.D., 2014.

Bill West, Mayor

Chris Lecates, Secretary

1ST Reading: September 24, 2014

2nd Reading: October 8, 2014

Adoption: October 8, 2014