

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Wednesday, December 9, 2009  
**Location:** Town Hall, 39 The Circle, Georgetown, DE  
**Time:** 6:45 P.M. Public Hearing  
7:00 P.M. Regular Meeting

**PRESENT:**

Edwin A Lambden, Mayor  
Charlie Koskey, Ward One  
Sue H Barlow, Ward Two  
Bob Ricker, Ward Three  
Brian Pettyjohn, Ward Four

**STAFF PRESENT:**

Eugene S Dvornick Jr, Town Manager  
Angela Townsend, Town Clerk  
Bill Topping, Chief of Police

**6:45 P.M. PUBLIC HEARING**

Bill Lecates, Director of Community Development Housing discussed the use of the Community Development Block Grant (CDBG) program and the guidelines for the application process. CDBG funding is used for projects that would benefit low to moderate-income households and/or neighborhoods. The top priority for the funds is for housing rehabilitation for homeowner occupied projects. Demolition and code enforcement projects are also eligible items. There is a required match from the local municipality of 10% for projects less than \$100,000, 15% for projects \$100,000 to \$200,000 and 20% for projects over \$200,000.

Previous CDBG projects in Georgetown have included funding for Code Enforcement, housing Rehabilitation, Drainage Improvements, Water and Sewer Connections, S Railroad and Savannah Road Sidewalks.

Mr Lecates requested Mayor Lambden to open the floor for questions and comments. There were no comments.

Public Hearing was closed at 6:55pm

**7:00 P.M. REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

Mayor Lambden led the Pledge of Allegiance.

**2. INVOCATION**

Mayor Lambden asked for a moment of silence.

**3. ADOPTION OF AGENDA**

Motion by Councilman Ricker, seconded by Councilman Pettyjohn, to adopt the agenda as presented. **APPROVED (unanimous)**.

**4. APPROVAL OF NOVEMBER 10, 2009 TOWN COUNCIL MINUTES**

Motion by Councilman Pettyjohn, seconded by Mayor Lambden to approve the November 10, 2009 Council Minutes, as presented. No quorum, Motion failed. Item will appear on the January 13, 2010 Council agenda.

**5. 2010 CDBG APPLICATION – SUSSEX COUNTY COMMUNITY DEVELOPMENT OFFICE**

During the Public Hearing, a proposal was discussed using CDBG funds for two (2) rehabilitation projects and one (1) infrastructure project which is Margaret Street. Mr Dvornick recommended the Town Council adopt a resolution authorizing Sussex County to apply for these funds on behalf of the Town of Georgetown.

Motion by Councilman Ricker, seconded by Councilman Pettyjohn, to adopt Resolution #2009-6 Fair Federal Housing Law indicating that the Town of Georgetown acknowledges the importance of fair housing and supports the goals of the Federal Fair Housing Law. **APPROVED (unanimous).**

**“Resolution #2009-6 is incorporated as part of the minutes.”**

Motion by Councilman Pettyjohn, seconded by Councilman Ricker, to adopt the Resolution #2009-7 authorizing Sussex County to apply for CDBG Funds on behalf of the Town of Georgetown. **APPROVED (unanimous).**

**“Resolution #2009-7 is incorporated as part of the minutes.”**

**6. PROPOSED ORDINANCE CHANGES**

**A. 1<sup>ST</sup> READING**

**2009-17 DISTRIBUTION OF PRINTED MATERIALS**

Numerous complaints have been received from residents in regards to the litter and debris caused by free weekly newspapers being thrown into yards.

As part of the Ordinance the Town Manager is directed to cause a notice, to be published in the Sussex Countian and Sussex Post if the ordinance is passed following the second reading. No action necessary at this time. 2<sup>nd</sup> reading and adoption if agreeable will be Jan 13<sup>th</sup> Council meeting.

**B. 2<sup>ND</sup> READING & ADOPTION**

**2009-16 RENTAL & BUSINESS LICENSE FEES**

Business License Commission meeting was held on October 29, 2009 with representatives from the rental and business community. All parties agreed to forward increase of 20% to Town Council asking that future increases be determined earlier with more notice and in smaller annual increments. Business License Commission members are: Harold Short, James Walls, Patricia Lauck for Daryl Wilson, Jan Fraipont, Ray Hopkins, Scott Zebley, and Dorrie Moore. The new fees will go into affect for the renewals mailed in January.

Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt Ordinance #2009-16 Rental & Business License Fees. **APPROVED (unanimous).**

**“Ordinance 2009-16 is incorporated as part of the minutes.”**

**7. ADOPTION OF RESOLUTION #2009-8 – RESOLUTION PROPOSING TO BORROW \$490,000 – SOUTH BEDFORD STREET PUMP STATION**

Based on Section 34 of the Town Charter, the Town will need to pass a 1st resolution setting forth their intent to borrow and to hold a public hearing with due notice provided of such public hearing. At the public hearing (which normally coincides with a council meeting), the council then adopts a 2nd resolution ordering a special election which must be held not less than 30 nor more than 60 days after the public hearing with due notice provided for the election.

Referendum will be scheduled for Saturday, February 20<sup>th</sup> from 12:00 pm until 5:00 pm.

Motion by Councilman Ricker, seconded by Councilman Pettyjohn, to adopt Resolution #2009-8 Resolution proposing to borrow \$490,000. **APPROVED (unanimous).**

**“Resolution 2009-8 is incorporated as part of the minutes.”**

**8. ADOPTION OF RESOLUTION #2009-9 – RESOLUTION PROPOSING APPLICATION – DELAWARE HEALTH AND SOCIAL SERVICES, DRINKING WATER STATE REVOLVING FUND**

Water Service Pipe Replacement:

This project is for the replacement of the old galvanized service pipes in the older portions of the Town that are continually failing and require emergency replacement. Since January of this year there have been approximately 40 water leaks that have required emergency repairs; all of which were a result of failure of the old galvanized pipe service laterals.

SCI Water Plant Improvements:

This project will include the construction of a new chemical storage building to separate the corrosive chemicals being used at the plant from the mechanical and electrical components of the facility as well as the installation of an automatic filter backwash system to reduce time consuming manual backwashing and the potential for human error during the backwashing process.

Motion by Councilman Pettyjohn, seconded by Councilman Barlow, to adopt Resolution #2009-9 Resolution Proposing Application from the Delaware Health and Social Services. **APPROVED (unanimous).**

**“Resolution 2009-9 is incorporated as part of the minutes.”**

**9. HOLIDAY INCENTIVES**

**A. PARKING METER WAIVER**

The parking waiver will be granted Monday, December 14, 2009 thru Friday, January 1, 2010.

Motion by Councilman Pettyjohn, seconded by Councilman Barlow, to grant the parking meter waiver from December 14, 2009 thru January 1, 2010.

**APPROVED Yea: 3-1 Barlow, Pettyjohn, Lambden Nay: Ricker**

**B. ANNUAL EMPLOYEE INCENTIVE**

Employee Christmas bonuses were \$250 net in 2008.

Motion by Councilman Barlow, seconded by Councilman Pettyjohn, to approve employee incentives in the amount of \$250 net. **APPROVED Yea: 3-1 Barlow, Pettyjohn, Ricker Nay: Lambden**

**C. RESOLUTION #2009-10 2010 HOLIDAY SCHEDULE**

Adoption by resolution of the actual date of the holiday is required in the Code of the Town of Georgetown.

Motion by Councilman Ricker, seconded by Councilman Pettyjohn, to adopt Resolution 2009-10 2010 Holiday Schedule. **APPROVED (unanimous).**

**“Resolution 2009-10 is incorporated as part of the minutes.”**

**D. RESOLUTION #2009-11 2010 COUNCIL MEETING SCHEDULE**

Adoption by resolution of the actual date of the meeting is required in the Code of the Town of Georgetown.

Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt Resolution #2009-11 2010 Council Meeting Schedule. **APPROVED (unanimous).**

**“Resolution 2009-11 is incorporated as part of the minutes.”**

**10. DEPARTMENTAL REPORTS**

**A. GENE DVORNICK – TOWN MANAGER**

**Delaware Solid Waste Authority Rate Increases**

The Town of Georgetown has been voicing its concern opposite the DSWA proposed increase to tipping fee – anticipated at 40 to 70 percent. We have attended a budget presentation and sent correspondence to the DSWA expressing our concerns. Any increase will be passed directly to our residents as the Town has outsourced our trash collection to Independent Disposal Services.

**Transit Hub Update**

I am pleased to report that the DART Transfer Hub on North Railroad Avenue is up and running. The bus lanes, shelter and bicycle racks are in place.

**Delinquent Property Tax Accounts**

As of December 9, 2009 we have had 9 properties (6% of the 149 properties) take advantage of our property tax amnesty program. Total collected is \$3,267.85 which represents 4% of the total principal outstanding (\$77,061.40). We remind all delinquent property owners that if the principal amount due is paid on/before Friday, December 18, 2009; the penalty and interest shall be waived.

**Budget versus Actual (Oct 09) – Six Months (50% of the Year)**

<u>Revenue</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>%</u>
General Fund	\$2,732,545	\$2,334,145	\$398,400	85%
Water Fund	\$1,249,450	\$599,080	\$650,370	48%
Sewer Fund	\$1,571,200	\$801,472	\$769,728	51%
Total	\$5,553,195	\$3,734,698	\$1,818,497	67%

**Expenditures**

General Fund	\$3,376,331	\$1,774,495	\$1,601,836	53%
Water Fund	\$798,268	\$369,417	\$428,851	46%
Sewer Fund	\$1,378,596	\$725,874	\$652,722	53%
Total	\$5,553,195	\$2,869,786	\$2,683,409	52%

The monthly report has been distributed for your review.

Other Key items (versus the same time period last year):

- Real Estate Transfer Tax Revenue, **Up 33.86%**
  - YTD FY 2008 \$337,073
  - YTD FY 2009 \$69,416
  - YTD FY 2010 \$92,923
- Building Permit Revenue, **Down 32.88%**

**Budget versus Actual (Nov 09) – Seven Months (58% of the Year)**

<u>Revenue</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>%</u>
General Fund	\$2,732,545	\$2,417,883	\$314,662	88%
Water Fund	\$1,249,450	\$600,122	\$649,328	48%
Sewer Fund	\$1,571,200	\$822,770	\$748,430	52%
Total	\$5,553,195	\$3,840,775	\$1,712,420	69%

**Expenditures**

General Fund	\$3,376,331	\$2,008,266	\$1,368,065	59%
Water Fund	\$798,268	\$494,292	\$303,976	62%
Sewer Fund	\$1,378,596	\$894,832	\$483,764	65%
Total	\$5,553,195	\$3,397,390	\$2,155,805	61%

The monthly report has been distributed for your review.

Other Key items (versus the same time period last year):

- Real Estate Transfer Tax Revenue, **Up 42.49%**

- YTD FY 2008           \$313,478
- YTD FY 2009           \$69,416
- YTD FY 2010           \$98,996

- Building Permit Revenue, **Down 30.17%**

### **Inflow and Infiltration**

With the significant rain over the last few weeks, the Town's wastewater treatment facility is being affected by the elevated water table and significant inflow from surface water. We have identified several manholes where seals and/or inserts were missing and have addressed these. We found one resident that was directly pumping surface water into the sanitary sewer system.

Additional actions taken:

- Installed a "Y" and valves at a County Seat Apartments pump station along Ennis Road with the goal of redirecting some flow from the Del-Tech pump station directly into the regional force main (\$4,234.00); and
- Engaged DBF to conduct surveys of 46 man holes identified in a 1975 study to determine needed repairs (estimate cost is \$3,220).

### **Request for Manger Scene**

The Town has received a request from Mr. Richard Wilson and Georgetown Wesleyan Church to place a manger scene on the Circle. Under federal law this is permissible so long as sponsorship is clearly identified as not being the municipality or local government.

Motion by Councilman Pettyjohn, seconded by Councilman Barlow, to grant the request subject to proper sponsorship signage being included as part of the display.

**APPROVED (unanimous).**    **Recused: Ricker**

### **Spray Expansion**

The Town has been working since 2001, under a State Revolving Fund Loan, to expand the areas used for disposal of our treated waste water. There are two areas we are currently focused on are (1) Prettyman Woods – requires an environmental impact study and (2) Pettyjohn Woods (currently under a limited overland discharge permit) – DNREC is requiring a Design Development Report (DDR) and an environmental impact study.

In order to expedite the DDR we need to initiate work as soon as possible. We have a proposal from Davis, Bowen & Friedel to perform the entire DDR for \$169,200. This cost will be incorporated into the loan.

Motion by Councilman Ricker, seconded by Councilman Barlow, to accept the proposal for the Pettyjohn Woods DDR in the amount of \$169,200.    **APPROVED (unanimous).**

**Recused: Pettyjohn**

Note – because of the environmental impact study there is some risk that the project may be impacted based on these findings. Accordingly, the cost presented to begin the DDR is estimated at \$70,000.00. Funds beyond this amount will only be committed upon a favorable environmental impact study.

### **Miscellaneous**

- Job Vacancy
  - The Town is currently accepting applications for the position of Code Enforcement Officer
  - The opening is advertised on the Town website and several local newspapers

- Comprehensive Plan Update
  - PLUS Review was on November 25
  - Final Agency comments were due to OSPC on December 8
  - Plan should be ready for certification and adoption by the Town Council at the January 13, 2009 meeting
- Energy Efficiency Community Block Grant - \$50,000
  - Full amount awarded has been received
  - Work at the Public Works facility has been completed
  - King Street Roof and Town Hall windows are still pending
- Water leaks continue to keep Public Works busy:
  - Number 40 – North Bedford Street (Repaired)
  - Number 41 – Adams and South Race (Repaired)
- Town offices will be closed on to following dates:
  - Thursday, December 24 – ½ Day in observation of Christmas Eve
  - Friday, December 25 – in observance of Christmas
  - Friday, January 1 – in observance of New Year's Day
- Reminder – January SCAT Meeting, Wednesday, January 6, at the Brick Hotel being hosted by Georgetown.
- Employee Service Anniversaries:
  - Keith Hudson                      Wastewater                      31 Years

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

Council was presented with statistics comparing 2008 and 2009, showing a reduction of incidents. Business alarm stats are constant, fines were just sent out to frequent violators. Greater than 90% of the business alarms, there is no respondent. The Police Department is basically working for the alarm companies. Councilman Ricker urges the Police Department and the Town Manager to look at the State Fire Service regulations specifically where it addresses responders. Chief Topping and Gene Dvornick attended the Camden Council meeting to present awards to Chief Bryson and Captain Melvin, Tuesday night mementos were given to the Dover Police Department Honor Guard and their FOP Lodge for their assistance during Officer Spicer's funeral. Chief Collins and Sgt Helsel will also be presented awards for organizing work schedules during that period. The general morale during this point in time is good to excellent. Recovery money (\$104,000) has been over 80% spent (new computers & printers in each vehicle, two new vehicles, and 3 refurbished vehicles). The remaining obligated funds: applied for a \$20,000 CJC Grant to place recording cameras on the circle. Did receive \$25,000 to install digital cameras in police vehicles from an Edward Brynes Grant, which in 14 years, only once was the recording called into court. So that money was put on hold. I was invited to the Vice-President's residence this Sunday to attend a Christmas reception.

Councilman Barlow thanked Chief Topping for a job well done.

#### **11. PUBLIC COMMENT**

Councilman Pettyjohn: I was cornered by a group of residents talking about economic development and retail growth in Georgetown. Chamber of Commerce and University of Delaware put together a Market analysis and nothing has been done with the information obtained. Why other Towns such as Lowe's and BJ's in Millsboro and in Seaford Texas Roadhouse, and why not in Georgetown. Which is why I would like to discuss this idea more at a future meeting into forming a Committee consisting of

business owners, residents, and possibly members of Council to actively promoting Georgetown? Other Towns are actively marketing themselves with results and I do not see that happening here in Georgetown. With Council's blessing I will put this on as a future agenda item, and make this happen.

Town Manager – There is an Economic Development Committee that meets the first Wednesday of every month at the Train Station, they actually have brochures and promotional material on Georgetown already.

Councilman Barlow inquired as to the status of the East Market Street lighting and sidewalks.

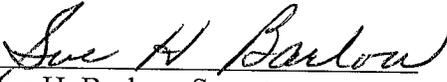
Town Manager – the project is moving forward at this time, a public workshop is scheduled for January 13, 2010. Properties have been posted in addition to being notified by mail.

Councilman Barlow on hearing complaints on the new lighting around the Circle, the night of the Christmas parade, with it being to dark to see the parade.

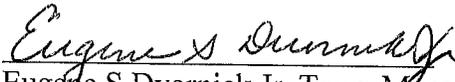
**12. ADJOURNMENT**

Motion by Councilman Pettyjohn, seconded by Councilman Barlow, to adjourn at 7:56p.m. **APPROVED (unanimous).**

APPROVED:

  
Sue H. Barlow, Secretary

ATTEST:

  
Eugene S Dvornick Jr, Town Manager