

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Wednesday, January 27, 2010  
**Location:** Town Hall, 39 The Circle, Georgetown, DE  
**Time:** 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  
Keith Hudson, Superintendent of Wastewater

**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**

**ITEM #4A PROCLAMATIONS - FIREMAN & LIFETIME FIREMAN OF THE YEAR was added.**

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

**4. APPROVAL OF JANUARY 13, 2010 TOWN COUNCIL MEETING MINUTES  
ITEM #6 DEDICATION OF STREETS – CINDERBERRY ESTATES –  
RESOLUTION #2010-1**

let the record show the meeting was turned back over to Mayor Lambden with Item #7.

Motion by Councilman Ricker, seconded by Councilman Barlow, to approve the January 13, 2010 Town Council Minutes as amended. **APPROVED (unanimous).**

**4A. PROCLAMATIONS – FIREMAN AND LIFETIME FIGHTERMAN OF THE YEAR**

Vice-Mayor Ricker presented proclamations to Jacob Ricker, Fireman of the Year and Ira Hitchens, Lifetime Fireman of the Year.

**5. CONDITIONAL USE APPLICATION – CASE#2009-22 – NEITHAMMER BEAUTY SALON**

An application by Jeffrey & Kelly Niethammer, for a conditional use to allow the owners to open and run a hair salon in the garage of their single family home. The property is located at 306 Carolyn Street identified as Sussex County Tax District 135 Map 14.20 Parcel 53.00 and zoned Urban Residential (UR1).

No negative comments were received at the Public Hearing and no written comments have been received since the public hearing.

Motion by Councilman Ricker, seconded by Councilman Koskey, to grant the Conditional Use Application – Case #2009-22 with the fixed contingencies as stated in Exhibit A. **APPROVED (unanimous).**

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

**6. REQUEST FOR DEMOLITION – 208 NORTH RACE STREET**

The Town had received a request to grant a demolition permit for the structure located at 208 North Race – this request was submitted by the property owner. September 23, 2009 Council meeting tabled the demolition request until a structural engineering report was completed and a site plan (post demolition) was submitted.

Dennis Hartl presented Council with an overview of the proposed project (post demolition).

The project will still need to follow the procedures for site plan approval thru the Planning Commission.

Councilman Barlow: I recommend sending this back to the Planning Commission with the recommendation that before a demolition permit is issued the Planning Commission should review and the site plan should fit into the neighboring houses with that being an historic street.

Councilman Koskey: According to the Engineer’s report remedies are given and suggested but are very expensive. I don’t feel comfortable granting a demo request if there are remedies but the property owner won’t do because of the cost.

Councilman Ricker: I don’t want to see another vacant lot or the eyesore that’s there now, and with the remedies being cost prohibitive, the property owner does not want to do that, and I agree with Councilman Barlow that the Council would like to see what is proposed, so with that said I would ask Councilman Barlow and Councilman Koskey if they would be in agreement that the demo permit be issued contingent upon a plan review from the Planning Commission.

Councilman Koskey: I don’t feel comfortable issuing any demo permit at this time, recommending that it first go to the Planning Commission with recommendations then be considered again.

Motion by Councilman Koskey, seconded by Councilman Barlow, to defer the request to the Planning Commission with recommendations. **APPROVED (unanimous).**

**7. INTRODUCTION OF ANNUAL TAX ASSESSMENTS FROM MAY 1, 2010 TO APRIL 30, 2011**

The Town Council is required by the Charter to introduce the proposed Tax Assessments for the upcoming year. This is step one in the tax assessment and appeals process.

No formal action is required on accepting assessments. The Town Council will need to schedule a date to hear the appeals of the assessments, with your approval; the assessment hearing has been scheduled for February 24, 2010.

**8. 2<sup>ND</sup> READING & ADOPTION OF ORDINANCES**

**A. ORDINANCE #2010-1 AR-1 AGRICULTURAL DISTRICT**

The Town Council recognizes properties located in the proposed annexation area, identified in the Town of Georgetown Comprehensive Plan, to continue their agricultural activities after being annexed into the Town. This zoning district allows land owners the opportunity to delay re-zoning their land until future development decisions can be determined. The regulations set forth in this article are supplemental or modified by the provisions contained in the following articles.

Jim Fuqua, Town Solicitor and Councilman Pettyjohn recommended the addition of detached single-family dwellings and types of animals allowed.

Motion by Councilman Pettyjohn, seconded by Councilman Ricker to adopt Ordinance #2010-1 AR-1 Agricultural District. **APPROVED (unanimous).**  
“Ordinance #2010-1 AR-1 Agricultural District is incorporated as part of the minutes.”

**9. DEPARTMENTAL REPORTS**

**A. GENE DVORNICK – TOWN MANAGER**

**Delaware Solid Waste Authority Rate Increases**

The Town of Georgetown met with Independent Disposal Service (IDS) on Thursday, January 21, to discuss the impact the rate increase from the DSWA will have on trash service offered to the residents of Georgetown. It is anticipated that the rates being charged will increase on July 1, 2010 from the current \$13.05/month /container to \$15.92/month/container (~40% increase). The impact on our residents is anticipated as follows:

<u>Billing</u>	<u>Current</u>	<u>Proposed</u>
Quarterly	\$41.00	\$58.00
Annually	\$164.00	\$230.00

IDS will be providing an informational letter for the Town to distribute to all residents explaining the increase.

It is anticipated that in early 2012, IDS will be providing curbside recycling as currently being promulgated.

**Transit Hub Update**

Installation of the fencing along the railroad tracks has been completed.

**4 and 8 North King Street**

The current Listing Agreements for 4 and 8 North King Street are set to expire on February 1, 2010. We have received correspondence from our agent they are no longer interested in listing the property. It is suggest that we retain the services of a local, Georgetown realtor.

Motion by Councilman Ricker, seconded by Councilman Koskey, to authorize the Town Manager to find a local realtor to list 4 and 8 North King Street. **APPROVED (unanimous).**

**Delmarva Power LED Light Pilot Program**

The Town has received a Memorandum of Understanding from Delmarva Power regarding our participation in the LED Light Pilot Program. This relates to the placement of ten (10) LED lights along North Bedford Street. The MOU outlines roles and responsibilities – installation, tariff, etc.

Motion by Councilman Pettyjohn, seconded by Councilman Barlow, to authorize the Town Manager to sign the Memorandum of Understanding with Delmarva Power relating to the LED Light Pilot Program. **APPROVED (unanimous).**

**Code Enforcement Vacancy**

Applications for the Code Enforcement vacancy have been reviewed. Out of the 60 applicants, 6 individuals have been invited to interview with the Town on Thursday, February 11. All applicants received correspondence from the Town.

**Notice of Conciliation – Department of Natural Resources**

The Notice of Conciliation was delivered and executed to the Wednesday, January 20<sup>th</sup>. I will defer to Superintendent Hudson to provide additional details in his report.

**Miscellaneous**

- Over the last two weeks, the Planning Department has been moving into the Town Hall as we consolidate offices and attempt to reduce some costs. The Police Department will take over the entire building on Race Street.
- Approximate cost for water leaks (calendar year 2009) was \$82,813.50. This was covered under general fund.
- The Town has submitted comments to DelDOT requesting that a bus shelter not be included in the East Market Street Improvement Project (mostly due to close proximity to the new transit hub on North Railroad Avenue.
- Service Anniversaries for January:
  - Jocelyn Godwin Planning Department 2 Year
  - Lawrence Grose Police Department 12 Years
  - John Tyndall Police Department 7 Years
- Replacement of the windows has commenced, this week the back of the building is being completed, starting the front portion next week.
- I would like to recommend that the February 10, 2010 Council meeting be cancelled due to having no items on the agenda.

Motion by Councilman Ricker, seconded by Councilman Pettyjohn, to cancel February 10, 2010 Council Meeting. **APPROVED (unanimous)**.

- A referendum fact sheet has been supplied to the Council, local media and is also posted on the Town's website.
- At the last Council meeting a petition and proposed Resolution for Cinderberry Estates streets was received, correspondence outlining the items Council requested was sent the following day. As of this point in time this item should remain tabled as of no further correspondence has been received from Cinderberry Estates.

**B. KEITH HUDSON – SUPERINTENDENT OF WASTEWATER FACILITY**

In regards to the Notice of Conciliation the Town has discharged into the Eli Walls Ditch Saturday-4 hours, Sunday-4 hours, Monday-8 hours, and Tuesday 10 hours. Doris Hamilton was present on Monday & Tuesday. In those 4 days we pumped approximately 774,000 gallons. A lot of work needs to be done on the berms. Permit expires on April 30, 2010. 2008 Influent – 295.0756mg, 2009 Influent – 432.9438mg which averages to 1.186mgd. Annual reports are due January 31<sup>st</sup> of each year. 2009 Pump Station Annual Flows – Sussex Central High School 1.9637mg, Sussex Correctional Institute 61.08mg, and Walls Creek 1.6220mg.

Town Manager commended the Wastewater Department for all the stress they've been under with a Nor'easter every Thursday & Friday and for a job well done in working with DNREC.

**10. PUBLIC COMMENT**

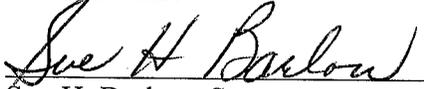
No Public Comment.

Reminder – Referendum will be held on Saturday, February 20, 2010 from 12:00pm to 5:00pm.

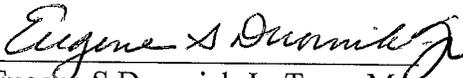
11. **ADJOURNMENT**

Motion by Councilman Ricker, seconded by Councilman Barlow, to adjourn at 7:40 p.m. **APPROVED** (unanimous).

APPROVED:

  
Sue H. Barlow, Secretary

ATTEST:

  
Eugene S Dvornick Jr, Town Manager