

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, September 14, 2011
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

PRESENT:

Brian Pettyjohn, Mayor
Steve M Hartstein, Ward One
Sue H Barlow, Ward Two
Bob Ricker, Ward Three
Annie Besche-Martin, Ward Four

STAFF PRESENT:

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

7:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

Mayor Pettyjohn led the Pledge of Allegiance.

2. INVOCATION

Mayor Pettyjohn led the invocation.

3. ADOPTION OF AGENDA

ITEM #4A SPECIAL PRESENTATION BY CHIEF TOPPING was added.
Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt the agenda as amended. **APPROVED (unanimous).**

4. APPROVAL OF AUGUST 24, 2011 TOWN COUNCIL MINUTES

Motion by Councilman Barlow, seconded by Councilman Besche-Martin, to approve the minutes as presented. **APPROVED (unanimous).**

4A. SPECIAL PRESENTATION BY CHIEF TOPPING

Chief Topping presented Wes Jones, who had been employed with the Police Department for 15 years prior to his retirement, with a retired badge in recognition of his years of service to the Department.

5. UPDATE ON 111 & 115 EAST PINE STREET

At the last Council meeting, Mayor Pettyjohn asked that the Town Manager work with Mr Godwin, the Town Solicitor, and the County Council and find out what the status is of the agreements, to see what agreements are in effect at this time, and report back by tonight's Town Council meeting.

Hal Godwin and myself started going through the paperwork on the properties at 111 and 115 East Pine Street, in an attempt to prepare information for Jim Fuqua, Town Solicitor and Everett Moore, County Solicitor to review.

In reviewing the April 2009 Temporary Restraining Order Request (which we have been unable to find any evidence or record of this actually being filed nor served on the Town) in review of items 11, 12 and 13 and based on the argument presented, we are back at square one – the County has two properties (111 and 115 East Pine) they wish to demolish; there is reason to believe one of the properties (115 East Pine) has historic value; the agreement between the Town and the County may arguably be null and void; and there is a demolition permit still in effect for 115 East Pine Street (Historic house), which is not in the historic district.

Councilman Barlow: I can't believe we (the Town) can afford the renovations. The only thing we have found historic with this house is its age. With the condition of the house, any type of renovation would destroy it. At this particular time we cannot afford to preserve this house. Both properties are eye sores at this point. There is no money for it.

Town Manager: I would say at this time the question for Council is what does the Council want to do to save this house, and how much does the Town want to invest?

Councilman Ricker: Asked if it was possible to tour the properties.

Mayor Pettyjohn: Asked that we contact Mr Godwin to schedule a meeting to come up with a timeframe on these properties, and we'll contact Battle Robinson and Sylvia Short Calhoun giving them a timeframe to either move the house, renovate the house, or of having any plans on saving the house through fundraising.

6. **PROPOSED PARKING VIOLATION APPEAL PROCESS**

A proposed process for consideration in appealing a parking ticket. A comparison of communities larger than Georgetown has processes in place. The first appeal would be to the Town Manager and the second appeal if requested would be to the Town Council.

Town Solicitor, Jim Fuqua recommended drafting the appeal process to Town Council into Ordinance form. 1st Reading will be September 28th Town Council meeting.

7. **DEPARTMENTAL REPORTS**

A. GENE DVORNICK – TOWN MANAGER

Hurricane Irene Clean Up Costs

The Town has received notice of *potential* reimbursement eligibility for cost incurred as a result of Hurricane Irene. Through September 7th, we had spent \$12,721.17 on pick up and disposal of tree limbs, branches, and other debris.

Detailed as follows:

Salary & Benefit	\$6,933.17	6 EE's x 6 days x 8 hr/day
Equip & Supplies	\$4,068.00	161.5 hours
Repairs & Contracted Services	\$1,720.00	Disposal (more pending)
Total		<u>\$12,721.17</u>

Bill Bradley and I will be attending an Applicant Briefing on Thursday, September 22 to get more information and begin the application process – reimbursement is anticipated a 75% of total incurred.

Structural Engineering Report – 39 The Circle

The Town has received a proposal from Baker, Ingram & Associates, Structural Engineers, for a structural assessment of the Town Hall. This was requested due to sloping floors and a bow in an exterior wall. The proposal is for a preliminary structural assessment, based on a visual review of the building and structural elements and a preliminary evaluation of known structural elements. The end product will be an engineering letter-report indicating their findings and recommendations. The cost is estimated at \$2,800.

Motion by Councilman Ricker, seconded by Councilman Barlow, to authorize the Town Manger to sign the Engineering Agreement with Baker, Ingram & Associates. **APPROVED (unanimous).**

Community Transportation Funds

The Town has submitted \$47,576 for Wagamon Avenue and North King Street through Senator Booth.

We have been working with Representative Briggs-King to fund work on Parsons Lane and Margaret Street. Both streets were reviewed by the Town Engineer and we believe the existing road can be used as a base, and with the addition of 2 ½ inches of new hot mix – should get 7 to 10 years before repairs may be needed. We will continue to seek CDBG funding for the overall street rehabilitation (curb, gutter, storm drains, sidewalk, and new roadway).

Miscellaneous

Water Leaks:

- Number 31: 21460 Park Avenue – replaced tapping saddle
- Number 32: 12 Buttercup Drive – service line repair (driveway)
- Number 33: 15 Surrey Lane – service line repair (main)
- Upcoming Events:
 - Chad Spicer Beef & Beer Benefit
 - Georgetown Fire Hall, Saturday, September 24, 6:00 PM
 - Delaware League of Local Government
 - Dover Sheraton, Sunday, September 25, 2:00 PM
 - 2:00 PM – Registration
 - 3:00 PM – Presentation by DelDOT
 - 5:00 PM – Dinner
 - 6:00 PM – League Business
 - Charter Review Committee Meeting
 - Town Hall, Monday, September 26, 5:30 PM
 - Public Hearing

B. BILL TOPPING – CHIEF OF POLICE

Chief Topping presented Council with an overview of statistics Town wide. We are currently advertising for 2 positions, we have received 11 applications, certifying with the CHIRP Grant that the funding is still in effect. Officer Mark Rogers has had some problems at night at the station with bats; I'll contact Public Works tomorrow for help in dealing with them. The department has some older vehicles to be stripped down and taken to the Delaware Auto Exchange for auction in addition to taking vehicles seized during drug raids, and in return rolling those funds into a new vehicle. The Mayor has signed the Salle-EIDE Grants tonight to be used for needed items within the Police Department.

8. 1ST READING OF ORDINANCES

A. ORDINANCE 2011-18 REVOCATION OF BUSINESS LICENSES

Mayor Pettyjohn asked the Town to draft an ordinance making it possible to revoke a business/rental licenses due to obligations owed to the Town. The proposed ordinance gives the Town the tools for denial of a business license, reasons for revocation, enforcement, and an appeal process. No action at this time. 2nd reading and adoption if agreeable will be on the September 28th Town Council meeting.

Mayor Pettyjohn suggested eliminating the formation of an appeal board and giving the Town Council the authority to sit as the appeals board.

Councilman Ricker had numerous concerns with the wording and the intention of the proposed ordinance.

Town Manager: I do not believe after hearing the discussion tonight, that this will be ready in time for the next Town Council meeting.

9. **2ND READING & ADOPTION OF ORDINANCES**

A. ORDINANCE #2011-16 VEHICLES & TRAFFIC

Article I- The Town has received complaints from residents and comments from our Code Enforcement Officer on regulating the parking of vehicles on sidewalks, lawns.

Article II -With the newly installed pedestrian crossing signs, this ordinance reinforces the intent of the signage and sets guidelines for pedestrian traffic.

Article III - Trying to reduce the amount of truck traffic around the circle, with having a truck route available to truck traffic around the outskirts town.

Councilman Ricker and Mayor Pettyjohn asked if possible, that emergency vehicles could be excluded from this Ordinance.

Town Manager: If Council approves, the following sentence will be added to §215-2. Definitions, Vehicle or Equipment "This does not include Authorized Emergency Vehicles as defined in Delaware Code, Title 21, Chapter 41, § 4106 (e)."

Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt Ordinance 2011-16 Vehicles & Traffic as amended. **APPROVED (unanimous).**

"Ordinance 2011-16 is incorporated as part of the minutes."

B. ORDINANCE #2011-17 PROCEDURE FOR DISCONNECTION

The Town is wasting funds unnecessarily with certified mailings for disconnect notices each quarter.

Postage/Return Receipt/Certified Fee Cost \$5.59

Total amount of Certified mailed per quarter 142

Total mailed per year (est). 568

47 Certified Returned = 33%

95 Signed for = 67%

Postage per quarter \$793.78

- Average Cost per year \$3,175.12

- Average Cost of Unclaimed/Returned Certified \$1,050.92

Time spent on certified letters

Two Employees/3 Hours Each Cost \$342.60

Annual Cost \$1,370.40

All delinquent properties also have their houses posted with the disconnect date and amount due. Of the 142 certified letters mailed, an average of 20 (14%) properties are still disconnected from water service for nonpayment.

Motion by Councilman Barlow, seconded by Councilman Hartstein, to adopt Ordinance 2011-17 Procedure for Disconnection. **APPROVED (unanimous).**

"Ordinance 2011-17 is incorporated as part of the minutes."

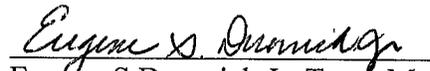
11. **PUBLIC COMMENT**
No one came forward

12. **ADJOURNMENT**
Motion by Councilman Ricker, seconded by Councilman Barlow, to adjourn at 7:58p.m. **APPROVED** (unanimous).

APPROVED:


Sue H Barlow, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager