

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING MINUTES**

Meeting Date: Wednesday, April 25, 2012
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 6:45 P.M. Public Hearing
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, Ward Four

STAFF PRESENT:

Eugene S Dvornick Jr, Town Manager
Angela Townsend, Town Clerk
Jim Fuqua, Town Solicitor

6:45 P.M. PUBLIC HEARING

ORDINANCE #2012-1 MODIFICATION OF PARKING REQUIREMENTS

The Ordinance was first introduced at the January 11, 2012 at which time the Council asked that a further review of the parking requirements be looked at. The Town Manager presented a power point presentation to Council. The proposed ordinance allows more flexibility with the required parking requirements; the current Code is too stringent.

No one spoke in favor of or in opposition of.

Public Hearing Closed at 6:54pm.

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

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

4. APPROVAL OF TOWN COUNCIL MINUTES

A. APRIL 11, 2012 TOWN COUNCIL MINUTES

Motion by Councilman Ricker, seconded by Councilman Hartstein, to approve the minutes as presented. **APPROVED (unanimous). Abstained: Barlow**

B. APRIL 20, 2012 TOWN COUNCIL SPECIAL MEETING MINUTES

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

5. CHARTER CHANGES – ALDERMAN’S COURT

This Act serves to codify numerous policies that promote the autonomy of the Alderman’s Court and thereby foster public confidence in the Court. The Act describes the processes of nomination, appointment by the Governor and confirmation by the Senate. Pursuant to this Act, many of the policies applicable to the Magistrate’s Court are applied to Alderman’s Court, such as requirements to segregate the Court from the Town’s offices. It also codifies standards relating to vacancies, qualifications, duties and jurisdiction. The change ensures

consistency across municipalities as reflecting input from the Delaware Supreme Court.

Councilman Ricker recommended that in the future the Town should look into having an Alderman's Court, as in Newark, Dewey Beach, and Rehoboth.

Motion by Councilman Hartstein, seconded by Councilman Barlow, to approve the proposed changes to the Charter. **APPROVED (unanimous).**

6. RESOLUTION #2012-5 KING STREET PROJECT - \$3,300,000

The proposed Resolution is for King Street Water Project, with a total loan amount of \$3,300,000 through the Delaware Drinking Water State Revolving Fund (DWSRF) with a zero (0%) percent interest rate and 100% principal forgiveness.

The Resolution establishes the time and place for a public hearing to take place on May 9, 2012 at 6:45pm. The competition date worst scenario would be the end of 2014.

Motion by Councilman Ricker, seconded by Councilman Hartstein, to adopt Resolution #2012-5 King Street Water Project. **APPROVED (unanimous).**

The Resolution is incorporated as part of the minutes."

7. 1ST READING OF ORDINANCES

A. ORDINANCE #2012-1 MODIFICATION OF PARKING REQUIREMENTS

This item was discussed during the Public Hearing portion of the agenda, allowing the Town Manager to grant up to 20% reduction on required parking spaces for reasons of topography, mixes of uses, ride share programs, availability of transit, limited customer stays, or other conditions specific to the site. No action is necessary at this time. 2nd reading and adoption will take place on May 9th Council meeting.

8. 2ND READING & ADOPTION OF ORDINANCES

A. ORDINANCE #2012-6 APPENDIX A

Due to the reclassification of the Finance Clerk II and Planning Administrator from Non-Exempt to Exempt. Appendix A needs to be formally adopted. The adoption of the proposed Ordinance is a formal action necessary by the Council.

Councilman Ricker asked for an explanation of Exempt and Non-Exempt.

Town Manager: The difference between the Exempt and Non-Exempt is the explicability of the Fair Labor Standards Act.

Motion by Councilman Ricker, seconded by Councilman Barlow, to adopt Ordinance 2012-6 Appendix A. **APPROVED (unanimous).**

"The Ordinance is incorporated as part of the minutes."

9. PLANNING COMMISSION APPOINTMENTS

Two seats are currently up for appointment. The Town has received letters of interest from Christine Lecates and Miles Potter applying for re-appointment. Also, received is a letter of interest from Diane Greenberg.

Motion by Councilman Ricker, seconded by Councilman Barlow to reappoint Christine Lecates to the Planning Commission. **APPROVED (unanimous).**

Motion by Councilman Ricker, seconded by Councilman Barlow, to appoint Diane Greenberg to the Planning Commission. **APPROVED (unanimous).**

10. DEPARTMENTAL REPORTS
A. GENE DVORNICK – TOWN MANAGER

2012 Municipal Election

REMINDER: The Annual Municipal Election will be held on Saturday, May 12th from 1:00 PM to 7:00 PM. The only council seat requiring an election is Ward 3. Mayor and Councilperson Ward 4 were uncontested. New voter registration deadline is Friday, April 27th 4:30 pm.

Auditing Services Contract Renewal

The Town has received a proposal from Jefferson, Urian, Doane & Sterner, PA for auditing services April 30, 2012 – April 30, 2015. The proposal is as follows:

<u>Period</u>				
<u>Ending</u>	<u>Fee</u>	<u>Increase</u>	<u>%</u>	
04/30/10	\$21,000.00	\$ 500.00	2%	
04/30/11	\$21,500.00	\$ 500.00	2%	
04/30/12	\$21,500.00	\$0.00	0%	Proposed
04/30/13	\$22,000.00	\$ 500.00	2%	
04/30/14	\$22,500.00	\$ 500.00	2%	

Additional, OMB Circular A-133 – Single Audits (as required for grant funds) will be billed at 75% of the regular standard rates.

Motion by Councilman Ricker, seconded by Councilman Barlow, to approve the three year audit engagement with Jefferson, Urian, Doane & Sterner, PA.

APPROVED (unanimous).

“Spring into Spring” Festival

The inaugural “Spring into Spring” Festival was held on Saturday, April 21, 2012 from 12:00 (Noon) to 9:00 PM. We had a total of five (5) bands; nineteen (19) vendors (out of 30 contacted); activities for children (Lil’ Toot, face painting); and approximately 27 children fingerprinted.

The crowd was steady throughout the day and all vendors requested to be invited back in 2013. Most all attendees commented on the selection of bands and the quality of the music played.

Special thanks to all the Town Employees – several vendors commented on the excellent service and attention provided.

Mayor Pettyjohn: Thanked all the Town employees along with non-employees for the making the event a huge success and for doing an excellent job, a lot of positive comments have been received.

Service Line Replacement Project

Two bidders met the responsibility criteria and have been invited to submit a priced bid for the project: Teal Construction and George & Lynch.

Bids are due Monday, May 21, 2012, on/before 2:00 PM at Town Hall. There is a mandatory pre-bid meeting scheduled for Thursday, May 3, 2012 at 2:00 PM.

Legislative Items

There are a few pieces of legislation we have been actively engaged with and offering comment on:

<u>Bill</u>	<u>Description</u>	<u>Position</u>	<u>Status</u>
TBD	Reincorporation – New Charter	Support	
HB 261	Termination of Utility Sale or Service	Support	In Committee
HB 278	Tax Refund Intercept for Collection of Property Taxes	Support	Passed House
SB 167	Legality of Ordinance, Code, Regulation or Map Relating to Zoning	Oppose	In Committee

Additionally, the Town has sent correspondence requesting an additional \$2,000,000 in funding for Municipal Street Aid.

Street Sign Theft – Sussex Central Drive

The Director of Public Works advises there have been several thefts of the Sussex Central Drive street sign in the area between Primary Avenue and West Market Street. Potential alternatives being considered include:

- Renaming the street to Margaret Street (previous name) – this affects one (1) property owner;
- Remove street sign for the two (2) months prior to graduation; and
- Replace signs as they disappear (\$60/each).

Recommendation by Mayor & Council to send an order form to Sussex Central making it their responsibility for replacement of the stolen signage.

Miscellaneous

Water Leaks:

- 2012
 - No new ones to report
- Upcoming Events
 - Delaware League of Local Governments, Thursday, April 26, 6:00 PM – Dover Sheraton
 - Sussex County Association of Towns, Wednesday, May 2, 6:00 PM – Bethany Beach
 - SCAT Steering, Friday, May 4, 9:00 AM – Lighthouse Landing
 - Harvey Gregg Memorial Dedication, Saturday, May 12, 10:00 AM – The Circle

11. PUBLIC COMMENT AND CORRESPONDENCE RECEIVED

Correspondence:

Vincent Gisriel Jr, a vendor from Spring into Spring Festival, thanked the Town for putting on such a nice event and allowing him to be part of it.

Email received from the Southern Delaware Tourism Office, Scott Thomas and James Diehl thanked the Town and its employees for making the “Mighty Mo Event” such a great day for Georgetown.

Public Comment:

Linda Dennis, Ward 4, thanked the employees as well for their participation in making the Spring into Spring Festival such a success. Ms Dennis also thanked Paula Laymon, Code Enforcement Officer, for all her hard work. Ms Dennis

asked that the Town Manger send the Charter Committee, a brief with the proposed changes in regards to the Alderman's Court.

Tony Semeraro, 4 Cranberry Court: I have two questions, how is the Town's Fiscal Year 2012 going to end?

Town Manager: I feel it's going to end in a very positive way, we've been very successful this year in collection of delinquent taxes, and we have also been very good at monitoring and minimizing unnecessary expenditures and Department heads have all done an excellent job with that. The monthly report that was read each month is now available online. For FY2013 we did not raise taxes, reduce any services or increase any fees for water, sewer or trash.

Tony Semeraro: The second one is about 123 West Market St, if that has been settled with the insurance company and has anyone shown any interest in buying the property?

Town Manager: There is a proposed settlement with Philadelphia the insurance carrier, that is currently being worked on with Potter Anderson, Corroon LLP, our legal counsel for insurance matters. The Town did file an action against our broker, in Superior Court and that has been assigned to Judge Graves. We had one interested buyer but their offer was not consistent with what the minimum offer needed to be, if you remember each parcel was to be \$110,000 and their offer was \$140,000 for the whole parcel.

Town Clerk, Angela Townsend: Thanked the Bill Bradley, the Public Works Department, Water Department and Town Hall staff for all their hard work making the festival a success. More advertising was needed. Positive comments were received from the vendors, saying they would return next year. A thank note from Vince Gisriel, Jr was read into the record.

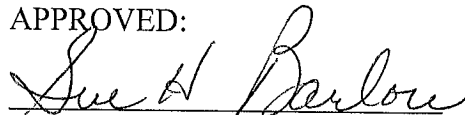
Councilman Ricker: Thanked Paula Laymon, for all her hard work making such a much needed difference in Town.

Mayor Pettyjohn: Also thanked Paula for all the good changes that have occurred in Town and would miss her being here.

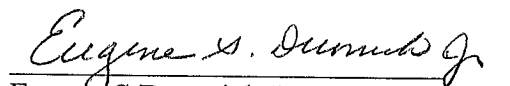
12. **ADJOURNMENT**

Motion by Councilman Ricker, seconded by Councilman Barlow, to adjourn at 7:30p.m. **APPROVED (unanimous).**

APPROVED:


Sue H Barlow, Secretary

ATTEST:


Eugene S Dvornick Jr, Town Manager

