

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Wednesday, January 11, 2012  
**Location:** Town Hall, 39 The Circle, Georgetown, DE  
**Time:** 6:45 P.M. Public Hearing  
7:00 P.M. Regular Meeting

**PRESENT:**

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

**STAFF PRESENT:**

Eugene S Dvornick Jr, Town Manager  
Angela Townsend, Town Clerk  
Keith Hudson, Sup Wastewater Reclamation  
Facility

**ABSENT:**

Brian Pettyjohn, Mayor

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

**CASE # 2011-02 SUSSEX COMMUNITY CRISIS HOUSING**

An application by Sussex Community Crisis Housing Service and MHDC for a conditional use to allow an expansion by constructing two new buildings. The property is identified as Sussex County Tax District 135 Map 14.20 Parcel 266.00 and is currently zoned Urban Residential (UR1).

Ken Christenbury, Axiom Engineering, and Marie Morole, Executive Director of Sussex Community Housing, presented the Council with an overview of the project.

Marie Morole, The current Crisis House, is very old, in need of repair; a local resident who is a strong supporter of the Crisis House has offered to donate the shell for a new building, with our organization obtaining funding to complete the inside. Currently on the site is an existing apartment/office unit and a single family home. Phase 1 will be an 8 bedroom, homeless shelter, which when completed will result in the closure of the Railroad Avenue shelter, and Phase 2 being a 6 unit apartment building. Staff is onsite 24 hours a day. The new site will also incorporate a play yard. The Delaware Housing Authority and HUD are looking for available funding to incorporate longer term housing instead of transitional housing. If that becomes available, we would certainly expand our program to become a longer term program. There will always be a need for an emergency shelter in our community.

Ken Christenbury: The Sussex Community Crisis Housing Service owns the property. The current structure 5 housing units and 1 unit being used for the Crisis House office. We feel that the project is compatible with the character of the neighborhood. Phase 1, is a 30 day program, an 8 bedroom homeless shelter with one shared kitchen; it would be dormitory style, with perhaps 3 to 4 beds to a room, depending on what's allowed for occupancy, also it has sections for males and females. Phase 1 improvements would include a parking area which, we have received a Board of Adjustment approval for, due to the reduction of the parking requirements. Phase 2 is a 6 unit apartment building, 2 story, with a kitchen for each apartment, this is a two year program. There is no funding for this structure at this time. The site includes a play area, picnic tables with landscaping, and grass pavers are proposed. Storm water will have a bioretention facility with a drain to tie into a catch basin on North Street. The retention pond will be planted with mulch on the bottom, and will not hold water.

**In Favor:** No one spoke.

**In Opposition:** Tony Semeraro, 4 Cranberry Court: I am not necessarily speaking in opposition, I am just a little confused with the purpose of tonight's meeting, because from what I could read, this is on the Planning Commission's agenda for next week, this item was tabled at December 21, 2011 Commission meeting and was tabled further at the February 16, 2011

Commission meeting. It's important to state that there has been no recommendation by the Planning Commission.

We hear two things when speaking to business people about relocating to Georgetown it's said that we don't have enough roof tops and in return we say we have two highway intersections with plenty of traffic. We have an over abundance of social service organizations and residences that seem to downgrade our community, that influences the decision makers as to what businesses locate here. The item of discussion at the February 16, 2011 Planning Commission meeting with this project was density. There would be 2 new buildings with a higher density than anything else in the area and my question is how that compares to the Comprehensive Plan approved in 2011. On page 35 of the Comprehensive Plan they talk of the older sections of Town: Kimmey Town: "This area needs the most attention in regards to housing rehabilitation and infill development of new homes. Individual homes with historic features should be preserved when feasible. The densities of housing need to be controlled, particularly to avoid conversions of existing one family homes into multiple units or into rooming housings. Housing recommendations are addressed in the following section of this Plan report, including financial incentives to develop owner-occupied housing." On page 36 it talks more of the number of facilities offering services and the number of transitional housing available. "Moreover, there are 10 housing units proposed to each be used for four recently released prisoners. The concentration of subsidized housing, transitional housing and human service facilities within one small town creates great burdens upon Georgetown, particularly in regards to police services. Therefore, this Plan recommends that an emphasis be placed on promoting additional market rate owner-occupied housing, while seeking to avoid additional subsidized rental units. On page 42 "A modest density should be encouraged that is similar to the typical development that occurred during the 1930s through 1940s. This density (such as 4 to 8 homes per acre) should make best use of available land, while avoiding overly dense development and parking problems. On page 44 they talk about controversial uses "Care is needed when regulating uses that are most likely to cause nuisances and hazards. These include chemical plants, asphalt plants, trash transfer facilities, quarrying, boarding houses, salvage/scrap yards, after hour's clubs, bring your own bottle clubs, large nightclubs, and drug and alcohol treatment centers. On page 76 we talk about what recommendations were recommended to implement the Comprehensive Plan, and one of these was given a high priority to address Controversial Uses with a mark that short term action was needed.

I realize that there is no decision tonight, however with this type of project with this proposed density, and the concerns that are already documented on density, that has to be weighed against the needs of the Town and the Comprehensive Plan. I think if you take that into consideration there should be some kind of modification to the census.

Linda Dennis, resident of Ward 4: I am also not necessarily speaking in opposition of this application; I am not casting any aspersions on the applicant or the services which they might provide, I previously have spoken with Council before on the issue of saturation and I think this application brings this point back again before you. I have asked in the past that we look at that issue and in order to avoid a constant conflict with any future applications that come before the Planning Commission or the Council or the Board Of Adjustment or whomever we need to really start looking at this issue that Georgetown has accepted more than their fair share of special needs housing. In my former career I worked in this area, one of the strengths of this applicant was with "in keeping with the character of the neighborhood", which in my mind says there is already a saturation of what used to be termed a "disability ghetto" with services clustered for particular populations, and I think this is already occurring in this neighborhood. I

would ask again to reconsider a policy or develop a policy that is going to protect the Town and the residents while still allowing for a fair share of services to this population.

Councilman Barlow: I want a plan either approved or rejected by the Planning Commission. I don't particularly want to second guess what the Planning Commission is going to do or say. We need to see this plan again after an opinion is made by the Planning Commission.

Vice-Mayor Ricker: I am echoing Mr Semeraro' comments, I also did question as to why this was coming before us tonight and why the Planning Commission had actually tabled this item 2 times. I did call the Chairman of the Planning Commission, Chairman Robinson explained the process that the County uses, and with the County the applicant will appear before the Council prior to their Planning Commission making any final decision. I also have made some notes and share the same ones Mr Semeraro had. In the Comprehensive Plan on page 36 it states "A large amount of housing that serves persons with special needs is located in Georgetown". I applaud the efforts of the applicant (Crisis House) and the good things they do and the success stories they have, but, in my opinion there comes a point in time particularly in that Georgetown has actually passed that point, that there are a saturation of housing and services, that causes the Town to not be as needed, or as inviting a place to move to. When I was Mayor, the Town Manager and I visited with a prominent restaurant trying to bring them into Georgetown, meeting with their staff two things were discussed; the demographics are terrible and Georgetown is a prison town, and having the social services of this County associated with a prison town leads to issues and problems and tends to lessen the demographics of the Town. Having remembered that, I have recently looked into our Town's current housing stock for transitional housing, there are currently over 20 transitional homes some multi-units, with some having 6 units in them. A portion of our hotel on the highway is actually occupied by folks looking for transitional housing. Other research I did was with the Police Department, the Police Department has close ties with the Crisis House, and there are statistics for the Crisis House for 2011, 73 individuals checked in, 46 were males and 27 were females. Out of the 46 males, 27 or 60% had an extensive criminal history, 12 had just been released from SCI, 7 or 28% of the females had an extensive criminal history. I don't mean to diminish the good work these organizations do, however there comes a point when I feel that our Town is saturated with services like this and continuing this on with granting a Conditional Use application is not in the best interest of the Town. Particularly looking at our Comprehensive Plan, and what this body (the Council), the Planning Commission, the University of Delaware and residents wanted for our Town and what direction they wanted our Town to go in and in addition the Comprehensive Plan clearly states that this area needs single family dwellings.

The record will remain open.

Town Manager: Mr Willard is drafting a memorandum outlining the conditions for consideration at the Planning Commission meeting on January 18<sup>th</sup>.

Motion by Councilman Barlow, seconded by Councilman Hartstein, to place this Conditional Use application Case 2011-02 on the January 25<sup>th</sup> Town Council agenda. **APPROVED** (unanimous).

**CONSIDERATION OF THE FOLLOWING AMENDMENTS TO THE GEORGETOWN ZONING ORDINANCE OF 1990.**

**A. ORDINANCE 2012-1 MODIFICATION OF PARKING REQUIREMENTS**

This ordinance allows more flexibility in the required parking spaces; the current Code is too stringent, and excessive. No action is necessary at this time. 1<sup>st</sup> Reading will be January 25<sup>th</sup> Council meeting.

Vice-Mayor Ricker asked that the Council consider digging deeper into this issue. I would like to possibly establish a Committee of 3 or 4 people, composed of someone from Council, a Planning Commission member, someone from the Planning Department, our engineer from Davis, Bowen & Friedel, and a couple of developers and put together a committee to do a comprehensive review of our parking, particularly parking for businesses.

**B. ORDINANCE 2012-2 REPEAL OF ALCOHOLIC BEVERAGES IN A UB-1 DISTRICT**

This ordinance clarifies that the sale of alcoholic beverages is prohibited in the UB1 District, permission could be granted through the process of a Conditional Use. No action is necessary at this time. 1<sup>st</sup> Reading will be January 25<sup>th</sup> Council meeting.

Vice-Mayor Ricker: In Section 36 and 37 in Permitted Uses is mentioned "Wholesale Establishments and Warehouses. I would hate to see a warehouse or wholesaler of beer wanting to come to Georgetown and be prohibited from coming because of this ordinance.

Jim Fuqua: Section 36 and 37 are not being changed, the only thing being taken out is the consumption of off premise sale of liquor. This ordinance does prohibit it, but it doesn't really end there, you still have the option of a Conditional Use application that can be requested.

Public Hearing Closed at 7:28 pm

**7:29 P.M. REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

Vice-Mayor Ricker led the Pledge of Allegiance.

**2. INVOCATION**

Vice-Mayor Ricker asked for a moment of silence.

**3. ADOPTION OF AGENDA**

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

**4. APPROVAL OF DECEMBER 14, 2011 TOWN COUNCIL MINUTES**

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

**5. ANNEXATION COMMITTEE MEETING – CASE #2011-18 – COX 107  
GEORGETOWN LLC**

An annexation application by Patrick W Ryan, French & Ryan, Inc on behalf of Robert Henry, Ambient Care, for the annexation of .86 acres, located on the North side of Rt 113 DuPont Highway. The site is comprised of one parcel designated as tax map 1-35-14.00-65.00. The site is located in Sussex County but borders on the municipal line of the Town of Georgetown along its southern boundaries. The application proposes that the site be annexed into the Town of Georgetown and the site zoned as UB-1 (Urban Business District).

A draft of the Annexation Committee Report was submitted. The Annexation Committee will formally recommend or oppose the application at the January 25, 2012 Council meeting.

There were no comments or questions from the Annexation Committee.

A final decision on the annexation by Council will take place at the Town Council meeting on Feb 8<sup>th</sup>.

**6. 123 W MARKET STREET – SUMMARY OF BID SUBMITTALS**

The Town did advertise an “Invitation to Bid for the sale of 123 West Market Street, Lot A and Lot B, subject to a minimum bid of \$110,000 each lot, bid opening noon, January 11, 2012.

One bid was received from Sergovic & Carmean for \$110,000 for the purchase of either Lot A or Lot B.

Motion by Councilman Hartstein, seconded by Councilman Barlow, to approve the bid from Sergovic & Carmean for \$110,000. **APPROVED (unanimous)**.

Vice-Mayor Ricker: Where do we stand with the insurance settlement on 123 W Market Street?

Jim Fuqua: Mediation is scheduled for early March. One more thing, the bid was for either Lot A or B, and we would leave that up to the bidder to determine what lot was wanted.

**7. BLUEPRINT COMMUNITIES UPDATE**

Councilman Hartstein is the Town’s representative for the Blueprint Communities. Councilman Hartstein asked that the Council be updated monthly on the progress of the committee. Bob Ruggio, spokesman, presented the Council with the Blueprint Communities update. The Federal home Loan Bank of Pittsburgh and the University of Delaware Center for Community Research and Service established Blueprint Communities Delaware to promote the revitalization of neighborhoods and communities. The committee is currently going through training and has completed our second training session last Saturday, January 7, 2012 at the University of Delaware. Training takes approximately 7 months. The committee does not have any proposed projects or ideas for projects at this time. It’s important to the success of this initiative to have the backing of the Mayor and Council as stakeholders. During the next few months the committee will reach out to the community, schools, churches, Sussex County and the Georgetown Historical Society to make it a true community effort. In about a week we hope to put a packet together with some written material for you. The committee is very excited about this opportunity and with having Councilman Hartstein as part of our group.

**8. DEPARTMENTAL REPORTS**

**A. GENE DVORNICK – TOWN MANAGER**

**FY 2013 Budget**

The Town has begun work on our FY 2013 budget. A timeline has been provided to all Department Heads and it is anticipated we will have first draft of the initial Budget on/before March 14, 2012.

**Community Development Block Grant (CDBG)**

For 2012, the Town is making application for a CDBG Infrastructure project for sidewalks, curb, gutter, and storm water drainage along Margaret Street. This is consistent with the applications made in over the last few years and would represent Phase I – extending from Edward Street to just short of James Street. The estimated construction cost is \$199,700. Additionally, the Town has identified 9 homes for

consideration for rehabilitation. The Town's match would be 15% which is \$29,955. This is a grant application only, no funds or commitments have been made.

#### **Street Inventory Project**

The Town has been working with Pennoni Associates regarding completion of a Town-wide Pavement Management Report. We have received a proposal, in the amount of \$7,500 to complete a Street Inventory Map and Condition Spreadsheet. This will include visual inspection of the streets, pavement, curb and sidewalks maintained by the Town. Conditions will be assigned as "Good-Fair-Poor" and will help in the establishment of priorities for street work (this will take into account maintenance history).

Vice-Mayor Ricker recommended that the Town Manager and the Mayor present this report when completed to our legislators and show them how their street improvement funds are being spent and where we are at with our streets.

Motion by Councilman Barlow, seconded by Councilman Besche, to grant authorization to the Town Manager to sign the proposal at an amount not to exceed \$7,500.00. **APPROVED (unanimous)**.

#### **Memorial – Chief Harvey Gregg**

The Town continues to work with the Gregg family on the permanent memorial for Chief Gregg. A monument style has been selected and wording for the memorial is being developed in cooperation with the family. We are still on target for installation in either April or May 2012.

#### **4 & 8 North King Street - Demolition**

The demolition of 4 and 8 North King Street has been awarded to John Macklin & Sons and is scheduled to begin on January 16. Public Works personnel will be on hand during the demolition to ensure protection of the newly installed sidewalks.

#### **East Market Street Project**

The Town has received notice that the final inspection meeting for the East Market Street Improvement Project has been scheduled for Thursday, February 16, 2012 at 9:00 a.m. Bill Bradley and I will be in attendance expressing the Town's satisfaction with the end product.

#### **Tree City USA**

The Town has been working with the Delaware Department of Agriculture, Division of Forestry in securing Tree City USA status for Georgetown. Over the next few months we will be working with the Delaware Forest Service in four areas:

- A Tree Board or Department (Public Works and Administration)
- A Tree Care Ordinance
- A Community Forestry Program
- An Arbor Day Observance and Proclamation

Our first effort is with Delaware Tech on their new parking area along Vaughn and Ennis Roads. Funding is being provided by the Chesapeake Bay Improvement Plan and will achieve credits towards our participation in the Watershed Implementation Plan through urban tree planting.

**Miscellaneous**

- Water Leaks:
  - No new ones to report
- Upcoming Events:
  - Town Offices will be closed on Monday, January 16 in observation of Martin Luther King Day

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

2011 Total Flows Town's 80 acre field – 144.6167, Baxter's 121.73 meeting quota of 110,000, Daily average - .823, precipitation – 36.18 inches

2011 Annual Spray Irrigation Report – due February 1, 2012

2011 Annual Quality Assurance (QA) Report – due January 31, 2012

SCI/Grinders will be available in approx. 5 to 7 weeks

Annual Hazardous Chemical Report – due March 1, 2012

Lagoon Depths – 75mg – 12.5ft

15mg - <5.0ft

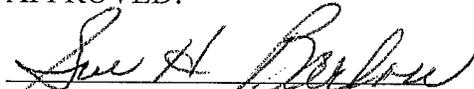
**9. PUBLIC COMMENT**

Vice-Mayor Ricker: I would like to take this opportunity to thank the public for being here this evening, I know some of you came for specific reasons and we appreciate your comments and your openness about issues that we have.

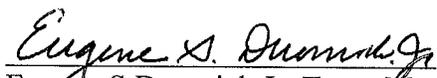
**10. ADJOURNMENT**

Motion by Councilman Barlow, seconded by Councilman Hartstein, to adjourn at 7:55p.m. **APPROVED** (unanimous).

APPROVED:

  
Sue H Barlow, Secretary

ATTEST:

  
Eugene S Dvornick Jr, Town Manager