



## Mid-Month Council Meeting Minutes November 19, 2014

**Meeting: 7:00 pm**

**I. Call to Order: 7:00 pm**

**II. Opening Ceremonies**

- a. Roll Call: Councilman John Ness (acting Mayor), Councilwoman Lorraine Gorman, Councilman Rudy Sutton, Councilwoman Cindy Cook, TM Dawson Green, TE Owen Hyne
- b. Recognition of Visitors: Mr. & Mrs. Emsley, Ms. Ott, William McMichael from the News Journal
- c. Pledge of Allegiance: Pledge was said
- d. Announcements:
  - Town Hall closed Thursday, November 27 and Friday, November 28, 2014 for Thanksgiving

**III. Additions/Deletions to Published Agenda**

- a. CM Ness asked for a motion to delete 7c-a, introduction of Ordinance No. 14-06.
- b. CM Ness asked to add under section 7 the discussion of the employee handbook and the introduction and review of a new layout of the Town Hall from TE Hyne.
- c. CM Sutton motioned, CW Gorman seconded with unanimous vote to approve the agenda with the above additions and deletions.

**IV. Council Minutes**

- a. Approval of October 22, 2014 Mid-month minutes
- b. Approval of November 5, 2014 Council minutes
  - CW Gorman motioned, CM Sutton seconded with unanimous vote to approve the above minutes.

**V. Mayor's Report**

- a. Change date of December 24, 2014 mid-month meeting
- b. Council all agreed to change the meeting date to December 17, 2014 at 7:00 pm at Town Hall.

**VI. Reports**

- a. Fred Townsend III, Town Attorney – not present
- b. Owen Hyne, Town Engineer
  - TVI – completing pump station work in the back on Edgar Road in preparation of building more homes.
  - TVII – builder talking to the Town about starting another phase of construction, another 18 lots, the site improvements and road and the houses one by one. We are looking at it now and will bring it up again in the next couple meetings.
- c. Dawson Green, Town Manager
  - The common open areas in TVII are completed now.
  - The Christmas decorations will be going up the week after Thanksgiving. Asked CM Sutton to sit with him sometime to order new decorations. Our current decorations keep breaking.
  - CW Gorman said we don't have to put all of the decorations up, only put up the decent looking ones. She added that we may want to wait to get new decorations until the streetscape is complete, we may want a whole new look going forward.
  - CM Ness said in the past Middletown came down and put our decorations up for us. TM Green said they will be doing them again.
  - CM Ness asked if the Town is OK with identifying any street problems with winter coming.
  - TM Green said George has already started cleaning the storm drains the Town maintains.

**VII. Committee Reports**

- a. Finance: Chair – Mayor Jermaine Hatton

- Discussion of Employee Handbook

1. CM Ness said one issue to discuss is about having a forced period of time off for all employees. This has been a suggestion with the audit for several years. The issue is our small number of employees, we can't have any one off for a long length of time. Maybe we could do it with a shorter period of required time off.

2. CM Sutton verified this is still an option, what we are discussing is whether Council will force a 1 week vacation for employees. With the way TM Green explained it, with our small staff, forcing employees to take a week off at a time rather than individual days could hurt the Town.

3. CM Ness stated Council needs to ensure that whatever we decide on, we need to be able to easily change it in the future as we grow.

4. CW Gorman sent her suggestions out to everyone and never heard back from anyone. We need to get this done.

5. After more discussion on the forced time off, Council decided to leave it as it is. It has always worked for our size Town office and is still working. It can be changed in the future if needed.

6. CW Gorman asked TM Green to explain STD.

7. TM Green stated he still has to look into it. The Town outsourced this and what you see is their language.

8. CW asked TM Green to please get back to Council. She wants to better understand the sick time vs. short term disability before making a decision. The language in this section is confusing.

9. CW Gorman said #2 on page 41, review of performance evaluation, it reads the Town Manager goes to the head of HR with his suggestions and the head of HR makes the final decision. She said she feels Council should have a say in all evaluations. We may have valuable input which may change the evaluation.

10. After discussion, Council agreed to have TM Green tweak the language to add "input from Council".

11. CW Gorman said she has a question about the progressive discipline. She understands how it works but if you have a verbal warning that is only good for 90 days. If something happens within those 90 days you are given a written warning. What if something happens within 91 days? Do you not progress to the written warning?

12. TM Green said on the 91<sup>st</sup> day, it drops off and starts over. However, no show, no call doesn't follow those steps. The second time you are dismissed. Council can change this to read however they want it to read.

13. CW Cook asked if it disappears or is it still in the employee file.

14. TM Green said it is in the file forever, however, if something happens after 90 days it reverts back to starting with a verbal warning.

15. TM Green said correct; however there is a history that develops and can be addressed.

16. There was a long discussion about the progressive discipline section. Council agreed to strike the section that says "it is only given during the period that a verbal warning is in effect". They are also striking "that a verbal warning remains in effect for 3 months".

17. CW Gorman said the workshop meeting has been changed to the "mid-month" meeting and it needs changed in the handbook for consistency.

18. There were no more issues and CM Ness said this has come a long way since the original.

19. CW Gorman said TM Green has put a lot of work on this. It was agreed to vote on the employee handbook at the December meeting so it is in place January 1<sup>st</sup>.

20. CM Ness added that once this new handbook is voted on, all of Council and all employees should sign off that they have read it in full.

- Introduction/Review of new Town Hall layout

1. TE Hyne passed out layout #3 of the new Town Hall to Council. It also includes a site plan. This is a direction we could move forward with. We haven't started the design yet, this is a concept and once Council approves a plan we will do the design. The floor plan in this rendering is the same, come in the main door. To the left will be a large meeting room, will hold 36 seats and Council. On the right of the hall is a small lobby with a service counter. Behind the service counter is an administrative office area and behind it is a small break room.

- 2.CW Gorman asked what changed with this option and TE Hyne said nothing has really changed.
- 3.TE Hyne continued and said there is a men's and woman's restroom at the rear of the building that is accessible to the public. We can lock off all administrative areas to the public.
- 4.CW Gorman asked if we really need an enclosed porch. May look better to have an open porch.
- 5.CM Sutton agreed and said they may get rid of the porch.
- 6.CW Gorman asked if the hallway and front lobby are really needed. Wouldn't the space be better served as additional office space?
- 7.CM Ness said the lobby is where the general public would come into the office.
- 8.TE Hyne said it is a good point. One of the other options didn't have the hallway. It is an option.
- 9.Mr. Emsley said he understands the feelings about the porch but one of the things people don't want to see in a residential area is an office building. Keeping the porch will make it look less like an office building.
- 10.CW Gorman clarified the Town wants to keep the porch, just not the screens. It will look neater to open it up.
- 11.CM Ness added that we want to keep with the original flavor of the building.
- 12.TE Hyne said there is a small porch in front of the lobby. We have to have ADA access into the building and we are looking at putting an ADA ramp up the right side of the building to a concrete landing (where the small porch is now) and wheelchairs can access both the porch and the building. There are a lot of things you can do with the building. We will do the designs with a lot of alternates. Some things may not need to be done right away. This will give the Town options and will be able to fit within the budget. The last page of the packet is a site plan. There are some important things that have to be done when we develop this site. We need parking and there will be a parking lot. We will have ADA parking on the right side of the building. Will have a new driveway where the existing driveway is coming in from Main Street. It will be wider to meet the Town codes. The sidewalk on Main Street will have to be fixed and made ADA compliant.
- 13.CW Gorman asked if we will do it to match the streetscape.
- 14.TE Hyne stated there may be some things like the bump out, streetlights and strip of brick that we might be wise to wait and do with the streetscape money. It will be cheaper that way.
- 15.CM Sutton verified the Town has to bring the sidewalk up to code but we would be wiser to not make it look like the streetscape at this time. It makes sense to use grant money to do this.
- 16.TE Hyne stated the Town will have to do a DNREC approved stormwater management BMP to handle the runoff from the parking lot and building. The water resource protection area will collect and infiltrate the water. There is no sidewalk on Ginn Street and it will have to be installed. Eventually this street will be connected to TVII East and will likely have more foot traffic than now.
- 17.CM Sutton asked if the sidewalk on Ginn Street is code or could we do this at a later date.
- 18.TE Hyne stated it is code; it needs to be done and should be done during the construction and modifications.
- 19.CW Cook asked how we will limit access to the stairs going upstairs for safety and security.
- 20.TE Hyne said it is currently open. You could put a door at the top of the stairs to control access, could also put doors and locks on other rooms upstairs and downstairs to control access. You could also put a chain across the bottom of the stairs.
- 21.CW Cook stated she is concerned about someone going up the stairs and falling.
- 22.There was a discussion about using only one entrance door during operating hours so employees would always know who was in the building.
- 23.CW Gorman suggested adding an additional door in the lobby so no one has access to any of the Town Hall without permission.
- 24.TM Green asked if there will be room for the solar panel at the rear of the property or can the roof support it.

25. TE Hyne said the roof cannot support it, too many peaks and gables. There is room on the property at the back and on the Ginn Street side.

b. Public Works: Chair - CM Rudy Sutton – Nothing to report

c. Land Use & Development: Chair – CM Rudy Sutton

- Discussion/Vote to annex enclave parcel 14-016.01-046, 141 Main Street
- TM Green explained there are 2 parcels at 141 Main Street, one parcel is annexed into Town and the other parcel is not.

- CM Sutton motioned, CW Gorman seconded to annex the above parcel into Town limits.
- Mr. Emsley asked is this parcel is part of the new Town Hall.
- CM Sutton said yes and explained there are two parcel numbers, same address, one parcel in Town limits, and one parcel in New Castle County. It was never annexed into Town. The two parcels run right through the middle of the house.

- Ms. Ott asked if with the 2 parcel numbers on this property and only one parcel number for 660 Commerce, her property, is that why you don't have to apply to New Castle and the Town. I thought someone said you can automatically annex the property in because you own it.

- TE Hyne stated this process is the Town giving authorization to annex the parcel into Town limits but the paperwork still has to be done just as it was for Ms. Ott's property.

- Mr. Emsley said it may be a good idea to have a letter on file requesting annexation.

- Vote to annex property into Town limits – aye unanimous.

- Mr. Emsley said Ms. Ott owns 660 Commerce Street which is actually 3 lots. She has requested to have the 3 lots divided into 2 lots. We would like to know where things stand with this request. Mayor Hatton said it may come up for a vote tonight.

- TM Green stated he is going to email Ms. Ott with the comments that were made and the things Ms. Ott needs to address to enable us to move forward with this request.

- TE Hyne said there is a process for a minor sub-division that has to be followed. As soon as I hear back from Ms. Ott we will get this on the agenda.

- Introduction of Ordinance No. 14-06, Proposed Municipal Building to remain in its current zoning – deleted from agenda as zoning committee was not able to meet.

d. Community Relations: Chair – CW Cindy Cook

- CW Cook asked if Council would be opposed to opening up to the community, for a short period of time, the opportunity to nominate the volunteer of the year, as opposed to Council choosing the person. I know there are many community members that volunteer that we don't see at the schools, the fire hall, etc. This would engage the community and spark more interest in the Town. The residents would submit their nomination in writing and Council would still have the final decision.

- Council agreed this would be a good idea.

- CW Cook and CW Gorman attended the Civil Air Patrol Veterans Celebration. It was a great ceremony and nice to learn what they do.

- CW Gorman said this would be a good thing to put on our website. You can join the Civil Air Patrol at a young age and they do a lot of things. We spoke to a 16 year old who had flown a plane. This would be a great thing to promote.

- CW Cook agreed and said we could put a link on our website; it is a great program producing our future leaders.

- CM Ness said there are several veterans that live around him. We should try to do something for Veterans Day next year.

e. Public Safety: Chair – CM John Ness

- We had some residents express concerns about crossing guards. Talked to Mr. Tolewickski from Appoquinimink School District who gave me a lot of information about how residents can request additional crossing guards. Mr. Tolewickski's information will be added to our website and facebook page.

- CM Ness said he looked into the hunting cameras to put into the park at the suggestion of several residents. SkyPoint is one company that does the deer cameras and they run from \$100 to \$600. They have to be

secured in trees. He is talking to several companies to get more information and see how they could help us. He added he will come back to Council once he gets more information.

● We asked for additional patrols on Commerce Street. It is a main thoroughfare into and out of Town.

f. Parks & Recreation: Chair – CW Lorraine Gorman

● Electric Installation in the Park update

1. Was at the park last week and the electrician turned the light on in the gazebo for me. Said he still needs to tweak some things and do more testing.

2. TM Green said when George went to the park last week all the lights were on in the pavilion. I told him to turn them off.

3. It was decided the center light in the gazebo and pavilion will by sensor be on every night.

4. TE Hyne said he is still waiting for the as-built plans and wanted to make sure the electrician has shown TM Green how to turn everything on and off before he recommends the last payment for the job.

5. CW Cook said we could possibly put motion lights in the park as opposed to cameras. This would deter people.

6. TE Hyne said the initial plan was to have more site lights in the park but installing motion lights in the future would be relatively easy.

● Landscaping

1. We need to put some bushes around the electric cabinets in the spring to shield them. CW Gorman asked if this will have to be put out for bid.

2. TM Green said we can ask Wilcox Landscaping about it. He added he will check the contract with them, may need a new one.

3. CW Gorman asked Council to think about hiring a part time person to help in the park next summer.

● Donations from Town Fair

1. CW Gorman asked if anyone knows a needy family we could donate the ice cream cake coupons from the fair to? Azure suggested going to the school and getting names of needy families from them.

2. CW Cook said she knows a single mother on Main Street with a young daughter that has stage 4 cancer. She will get her name and number.

● Baseball field improvements

1. We need to get someone in to fix the baseball field up. Can't even tell where the bases are now.

2. TE Hyne suggested we go to the MOT Little League and ask their advice.

3. CM Ness stated we have diamond tex in the infield and have to be careful with that.

4. CW Cook said she will get names and numbers for the president and vice presidents of the league.

5. CW Cook asked if we are going to do anything with the all purpose field.

6. CW Gorman said it isn't playable and would probably be expensive to fix it.

7. CW Cook said there is a huge shortage of fields for soccer, baseball, softball, football. It may not cost a lot of money. Every acre of open ground between Smyrna and Middletown is rented for sports. It could be a source of income.

8. TE Hyne said the field could be fine graded and seeded and it wouldn't be that expensive.

9. Council will think about this.

● Tennis Court?

1. Long range planning – several residents have suggested putting tennis courts in the park. Have contacted several companies, it's more expensive than I thought and would have to be a 70x30 area. If go with asphalt it will be around \$55,000.00, if we go with concrete it will 70 -75,000.

2. TE Hyne said a tennis court has to be very precision, has to be perfectly flat.

3.CW Cook asked about putting in a volleyball court. CW Gorman said that could be looked into.

- Christmas Caroling in the Park

1.A resident suggested Christmas caroling in the Park. If Council agrees, I will get in touch with the different churches to see if they would like to lead us in song. We would do this in late afternoon. It would be “come one, come all”.

- Movie Night

1.Have been checking into renting a movie screen and having a movie night in the park in the spring. Have already talked to insurance and we are good. Am looking for suggestions on a movie to show. It will be a free movie night for the residents – a social night. We will notify all surrounding residents to let them know we are doing this.

**VIII. Citizens Comments & Participation:**

**IX. Adjournment:** 8:43 pm, CW Gorman motioned, CM Sutton seconded with unanimous vote.

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