

Mid-Month Council Meeting Minutes
March 23, 2016

7:00 pm - Meeting

I. Call to Order: 7:01 pm

II. Opening Ceremonies

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TA Fred Townsend, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
- b. Recognition of Visitors: 4 visitors
- c. Pledge of Allegiance: Pledge was said
- d. Announcements:
 - Town Hall closed for Good Friday on Friday, March 25, 2016

III. Additions/Deletions to Published Agenda

- a. CW Gorman asked to delete the approval of the minutes.
- b. CM Sutton asked to add discussion/possible vote to accept change order #10 for 141 Main Street under public works.
- c. CM Ness motioned, CW Gorman seconded with unanimous vote to accept the agenda with the above changes.

IV. Council Minutes

- a. Approval of February 17, 2016 Mid-month minutes – deleted from agenda
- b. Approval of March 2, 2016 Council minutes – deleted from agenda

V. Mayor's Report

- a. Streetscape Phase II update
 - The streetscape is in the design phase with DelDot. The engineers are McCormick and Taylor. The Town has to come up with \$26,000 for the design phase. The money is coming from Representative Spiegelman and Senator Ennis; there is no cost to the Town. Phase II will run from South Street to the other side of the school. This design phase will take 16-18 months to complete. It is completely a DelDot project.
 - Mr. Harrington asked if the same contractor will do the streetscape.
 - Mayor Hatton stated we are not to that point yet, this is the design phase.
- b. Pending Bills at Leg Hall
 - There are many bills in the house right now that could potentially affect the Town.
 - The first one is House Bill 200 – accessibility of parking. This bill will supersede the current mandate for ADA parking. It will require more ADA parking and the spots will have to be wider for van accessibility. The DLLG is very involved in this bill because it is so stringent.
 - Senate Bill 39 – Minimum Wage. This bill is a 5 year ramp up of the minimum wage. It has passed in the Senate but hasn't come out of committee yet.
 - House Bill 287 – Sex Offenders. We and the DLLG are keeping a close eye on this bill. It is a very rigid law and is causing lots of homelessness amongst sex offenders.
 - House Bill 283 – Veterans with Skilled Labor. If this bill passes, we will have to use veterans to do the project if we use any state money on the project. This makes the contractor pool much smaller and isn't fair to other contractors.
- c. Discussion/possible vote on demolition contract of Finley Street property
 - We have insurance on the land only at Finley Street. Insurance won't insure the structure and they want us to either get hazardous insurance on it or demolish what is left of the building ASAP. Had TM Green get three bids to demolish the property. Austin and Bednash bid \$31,000, Escot Construction bid \$19,000.00 and B&W Contractors bid \$6,000.00. B&W is Dick Burris. The reason his bid is so much cheaper is because he can haul all the

brick to his pit on Marl Pit Road and preserve them. If we do nothing with the property we have to immediately put a fence around it per insurance, which won't be cheap.

- CW Gorman asked if we can keep and use some of the bricks and Mayor Hatton said yes, we are keeping at least 200 bricks. He added that his suggestion to Council is to tear the building down. One wall is already down.

- CM Sutton asked why he was not made aware of this project as it is his committee.

- Mayor Hatton said we had to move fast because of insurance.

- CM Ness motioned, CM Sutton seconded with unanimous vote to have B&W Contractors demolish the building on Finley Street for \$6,000 and save 200 bricks.

- CM Ness stated Americore asked us to register on their link and pass a proclamation recognizing/supporting National Volunteer Service. The date is 4/5/16.

- After discussion, CM Ness motioned, CM Sutton seconded with unanimous vote to have Townsend recognize April 5, 2016 as National Volunteer Service day through proclamation.

VI. Reports

a. Fred Townsend III, Town Attorney

- Have been researching the zoning codes for 605 and 615 Cannery Lane. The property owner has been notified on several occasions that they are in violation for the usage of the property with the current zoning and have done nothing about it. Our Code requires us to obtain a conviction. Have called the courts about this. Courts don't generally like to get involved on zoning disputes. The Town isn't as much interested in collecting fines but ensuring the property be used properly, especially since it is in a residential area. Will report more at the April Council meeting.

- There was a long discussion about everything Mr. Suppi has done on the property on Cannery Lane that is against the Town Codes, including moving in many storage buildings, and has done nothing to fix the problem even though he says he will. The daily fines don't seem to affect him. The residents in attendance stated he has no respect for anyone.

b. Owen Hyne, Town Engineer

- The site contractor has assured me he will be paving the parking lot at 141 Main Street tomorrow. He will be doing the base coat which is enough to get you into the building. Top coat will be done later.

- Inside the building – still a few things to review. The fire doors are in, need stained and installed.

- The stairs (fire escape) on the back of the building is a requirement of the fire marshal. They were supposed to be done in trex material with metal handrail, which the Town paid for. They were done in pressure treated wood which requires maintenance. Per the contractor, the difference in price is only \$3,100.00. Does Council really want it all changed to trex?

- CW Gorman stated we should make him do it correctly; we shouldn't have to take a hit because he didn't read the plans.

- TE Hyne said it will be a labor to have him change it all and will delay occupancy. TI Naples said some structural changes would also have to be made.

- CM Sutton stated the \$3,100.00 does the Town no justice. The original plans were bounced back and forth between Affordable and RVB and RVB missed specifying the trex in the final stamped plans. He asked TE Hyne what RVB can do to reimburse the Town for this. The Town paid for trex, not wood.

- TE Hyne said the contractor gave the Town a bid using trex, he didn't put it in and that is his problem. RVB reviewed the structure to ensure it was sound and approved them.

- After more discussion, it was clarified that it would be another 2-3 weeks before the Town could move into the new Town Hall. Mayor Hatton directed TE Hyne to call Chris (Affordable Contractor) and tell him Council wants what they paid for. Change the stairs in back to trex with metal railing and he has 3 weeks max to get it done.

- CW Cook added that Council asked the contractor to save the old doors, molding, etc. from the original building. She asked TE Hyne to have the contractor move it all to the basement of 141 Main Street.

- There was a discussion about the bad shape the roads in the developments are in. TE Hyne was asked to talk to the developers and see when they would be fixed.

c. Dawson Green, Town Manager

- CW Gorman and I met with the manager of Dollar General last week. They are going to extend the gated area for the trash, don't have a date yet.

- TM Green stated there are 31 new homes to date this fiscal year.

yards.

- He added he will talk to Rob Allen to see when the trees will be planted in the residents

VII. Committee Reports

a. Finance: Chair – Mayor Jermaine Hatton

- Audit update
 - a) Audit is almost complete, auditors are very pleased.

- Proposed rate increase from RVB

- a) Met with Chris Fazio last week. Would like to increase the rates for FY 2017, 2% increase on the current rate. One of the reductions in fees will be with Dave coming to our meetings rather than Owen. They charge \$80.00 for Dave, going forward it will be \$85.00. This request will come in the next couple days for next fiscal year.

b. Public Works: Chair - CM Rudy Sutton

- Discussion/possible vote on fire doors at 141 Main Street

- a) CM Sutton showed Council pictures of the fire doors for inside 141 Main Street. Steel doors will cost \$18,000 and wood doors will cost \$15,000. They have the same fire rating and are within our codes.

- b) After more discussion, CM Ness motioned, CM Sutton seconded with unanimous vote to purchase 9 six panel fire doors for 141 Main Street.

- Discussion/possible vote to accept change order #10 at 141 Main Street

- a) This change order consists of the following items:

- a.**hardwood flooring - \$565.00

- b.**porch skirting - \$1865.00

- c.**Closing basement windows – security issue - \$1150.00

- d.**basement steps – doorway – poured new stairs, new doorway - \$3600.00

- e.**service counter height - \$300.00

- f.**2nd floor stairway to fire exit - \$3875.00

- g.**credit for sewer main – connected at curb line, credit amount \$2300.00

- h.**electrical for future sign - \$2300.00

- i.**hose bibs - \$550.00

- j.**laundry mop/floor sink - \$1205.00

- k.**Total cost - \$13,155.00

- b) CM Sutton motioned, CM Ness seconded with unanimous vote to approve change

order # 10.

- c) CM Sutton stated he received 2 more quotes for the Town sign.

- a.Creative Edge - \$3,650.00 – sign isn't typical, it is a vinyl sign and 2 sided with

acrylic lettering.

- b.Signs by Tomorrow - \$4,500 - \$5,500.00 for a vinyl sign and \$7,500.00 for an

acrylic sign.

- c.Mayor stated a motion cannot be made at this meeting since this discussion wasn't on the agenda, just came up for discussion under the report. It will be added to the next agenda. He added it would be nice to have the sign up for the ribbon cutting ceremony.

c. Land Use & Development: Chair – Mayor Jermaine Hatton

- Discussion/possible vote on zoning change from commercial to residential at 307 Main Street

- Mayor Hatton said the zoning committee met tonight and approved and recommended a change of zoning for 307 Main Street from commercial to residential per the owner's written request. He is selling the home and the buyers want it zoned residential. If Council approves this, it will go before the PLUS committee.

- CM Ness motioned, CM Sutton seconded with unanimous vote to approve re-zoning 307 Main Street to residential from commercial and sending it before PLUS for approval.

d. Public Safety: Chair – CM John Ness

- Nothing to report.

- TM Green said the owners of Jamie's said many people are using their parking lot as a cut through to avoid the light. CM Ness said he will let Lt. Hudak know.

e. Community Relations: Chair – CW Cindy Cook

- Lifehouse and Mission Churches have both offered to help the Town move or help with the landscaping or in any way they can.
- CW Cook passed an agenda around to Council showing a rough draft of the ribbon cutting ceremony and it was discussed.
- CM Sutton asked TM Green to find a company to install the flags at 141 Main Street before the ribbon cutting ceremony if possible.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Park Maintenance

a) Discussion/possible vote on park maintenance contract

a.CW Gorman said TM Green ran an RFP for park maintenance from spring to fall.

Wilcox won the bid last year; they mulched and weeded bi-weekly. The trees in the park need some work so don't lose any more. Trees lining Edgar Road also need spruced up; has never been done. The park needs a major clean-up job. We received 3 estimates of which Cammock Lawn Care was the lowest bidder.

b.After a short discussion, CW Gorman motioned, CM Ness seconded with unanimous vote to award the contract for park maintenance to Cammock Landscaping.

c.CW Cook added she walks the park daily and there is broken glass around the sidewalk and walking trail all the time.

- Community Events

a) Easter Egg Hunt – had a great turn-out, even though it rained. Immanuel Methodist Church made a lot of cupcakes for the event. Had volunteers from Everett Middle School National Honor Society and CM Suttons family.

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- NWF Update

- Upcoming Events

a) Thursday, 4/21/16 – Ribbon Cutting Ceremony @ 141 Main Street @ 5:30 pm

b) Friday, 4/22/16 – Tree Give-away @ Town Hall

c) Butterfly garden being planted at TES, Mr. Mulch donating the mulch. The garden

will be 9x36 behind the school.

d) Doing a butterfly garden at the new Town Hall, won't start it until the site work is all

done.

e) Mayor Hatton is going to issue a proclamation for "Save the Monarchs".

VIII. Citizens Comments & Participation:

a. Mr. Albert asked if the bricks in the old school house were made in Townsend.

b. Mayor Hatton stated he doesn't know the answer to that question but will try to find out.

c. Mrs. Albert commented that many Towns have multi-us zoning along their Main Streets. With the future zoning changes and comp plan changes coming up, she asked if this is something Council has considered.

d. Mayor said Council will research multi-zoning/mixed usage.

IX. Motion to Adjourn for Executive Session: 9:30 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

X. Executive Session: Potential Litigation

a. Strategy session involving legal advice or opinion with respect to potential litigation where an open meeting would have an adverse effect on the Town's litigation position, pursuant to 29 Del. C. 10004(b)(4).

XI. Motion to close Executive Session & re-convene mid-month meeting:

XII. Adjournment: