



## Townsend Public Hearing & Council Meeting Minutes August 6, 2014

### 7:00 pm – Public Hearing

- I. **Call to Order:** 7:00 pm
- II. **Roll Call:** Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TA Fred Townsend, TM Dawson Green, TC Cathy Beaver, Town Inspector (TI) Dave Naples
- III. **Visitors:** 17 guests
- IV. **Pledge of Allegiance:** Pledge was said.
- V. **Discussion of 308 and 309 Gray Street**
  - TA Townsend stated this notice to show cause hearing is a proposed enforcement action against the owner of structures at 308 and 309 Gray Street in Townsend. In this circumstance the Council sits as a quasi-judicial body, acts like a court and is charged with the responsibility of making determinations on whether or not applicable codes have been violated. The proceedings tonight will include a presentation of an expert witness and Council will draw conclusions from that report. Mr. Jones, the owner of the two properties is here and he will be recognized once we have heard from Mr. Naples. He can contest any assertions made by Mr. Naples and can argue the proposed actions recommended. TA Townsend then asked TM Green to make a statement on how this hearing was noticed.
  - TM Green stated this hearing pertains to 308 and 309 Gray Street. Per NCC records, Mr. Miles P. Jones Jr. is the owner of the properties. As such, he was sent a certified Notice of Violation on April 12, 2014 for the properties at 308 and 309 Gray Street. In addition, both properties were posted on July 14, 2014. Today we did receive the certified letters back unclaimed. At this time I would like to enter a copy of the Notice to Show Cause Hearing, a letter sent to Mr. Jones concerning 308 and 309 Gray Street, and copies of the placards that were posted on each property.
  - Mayor Hatton thanked Mr. Green and stated he has all the notices in front of him along with the pictures showing the properties were posted at stated.
  - TA Townsend added that any deliberations that ensue during the course of this hearing will be done publicly, no private deliberations are permitted and any final conclusions by this body will be issued in writing at a subsequent date.
  - Mayor Hatton asked Town Inspector Dave Naples to stand and state his background and his findings on 308 and 309 Gray Street.
  - David Naples stated he has been a licensed and certified building code official for 15 years in Delaware, Pennsylvania and Florida. He said he holds 30 individual licenses and certifications in all matters relating to building construction including all construction techniques, trades, mechanical, plumbing and electrical. I also hold the distinction of being one of only three national code specialists in the state of Delaware. I hold the title of housing code official which qualifies me as an expert in the eyes of Delaware Courts.
  - TI Naples continued and said he believes Mayor and Council all have a copy of his report dated July 13, 2014. Prior to this report I was asked by the Town Manager to inspect these two properties and compile a list of observed code violations. The first property I will speak of is 309 Gray Street; the second one is 308 Gray Street.
  - There are 9 citations of violations against the international property maintenance code for 309 Gray Street. This code, which is adopted by the Town, is included for reference and photos are also included with the letter. Item #1 deals with vacant structures and land. Item

2 is a general statement concerning the exterior of the structure, item 3 deals with exterior surfaces and their protective treatment, item 4 deals with structural members being free of deterioration, item 5 deals with exterior walls being free from holes, breaks, rotting materials, item 6 deals with unsafe conditions, item 7 deals with structurally unsound structural members, item 8 is another general statement which refers to the structure and equipment therein being in good repair and the 9<sup>th</sup> item is a sub-section of item 306.1 which deals with unsafe conditions which is probably the most critical of the items observed on this property.

- TI Naples then explained the photos included. The first photo shows the exterior rear of the building located at 309 Gray Street. It shows major structural failure. It doesn't appear to have moved recently but in his opinion it isn't structurally sound and could collapse at any moment.
- He added that per section 306.1.1 of the code – Unsafe Conditions, it states where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code as required for existing buildings. The conditions are: Ultimate deformation or deterioration of wood, significant splits and checks, inadequate support, detached, dislodged or failing connections or excessive cutting and notching. TI Naples stated all of these conditions can be seen in this structure looking at the rear of the building.
- The next photograph is the front west elevation of the building. It shows deteriorated exterior coverings and treatments. The next 2 photos of the east elevation show similar conditions and also have unsecure openings in the gable end.
- On the front of the building facing Gray Street there are deteriorated exterior coverings and treatments. These basically amount to holes in the wall. When standing in front of the building, you can see all the way through the building up to the sky.
- TI Naples recommendation to Council for this property, 309 Gray Street, is complete demolition of this structure. He said he doesn't believe there is anything salvageable, doesn't believe it can be structurally repaired and believes it poses a risk and nuisance to surrounding properties and he has no confidence the building will stand for much longer.
- TA Townsend said with item 6 you cited code 306.1.1, unsafe conditions, you cite 6.8, inadequate support. Can you please explain what this means and how you came to this conclusion visually.
- TI Naples stated the elevation you see in the photograph is the rear elevation of the property. Based on the way the roof is framed, it is a structural, load bearing wall. The entire wall is intended to bear at least half of the roof load of the structure, along with the second floor and first floor load. As you can see in the photo, the roof is deteriorated, would estimate at least 20% gone. The exterior facade is 60 – 70% gone and you can see the structural members of the load bearing beams of the second floor are sloping downwards and there are what appear to be headers installed in the load bearing walls reflected downwards also. My conclusion is that particular load bearing wall is in structural failure. If that wall were to fail the entire building will fall.
- TA Townsend asked if this is the most serious issue and why.
- TI Naples said it is the most serious issue and if it deteriorates anymore it will collapse, possibly into the street.
- TA Townsend asked if Mr. Jones had seen this report and was told no. A report was given to Mr. Jones. TA Townsend asked Mr. Jones to turn to page 2 you will see the picture of the missing wall TI Naples is referring to.
- TI Naples said 308 Gray Street is in considerably better condition than the previous property. It was inspected the same day. The property has a fence all the way around it and is fairly secure. All the photos and my observations were made from the public walk. There are only 3 citations for violations on this property. Citation 1 deals with motor vehicles. There

appear to be 2 inoperable motor vehicles on the east side of the property in the grass area. Item 2 deals with exterior surfaces and their protective treatment. Item 3 deals with windows and door frames not being kept in sound condition. There is a side porch added to this property on the east side which appears to be in structural failure and window frames are out of square. The door frame is out of square and if there is a foundation under this it has failed. The roof is in a downward reflected state, it's not even across its elevation and from what I can see from 40' away, and it appears to be in structural failure. This is the most significant issue I saw with this property. On the east elevation at the gable end of the roof are 2 window openings at the roof line that aren't secured. They become more of an issue when they aren't secure and have no glazing because elements get in there and over time it creates conditions of rot and mold in the building. This particular property has some minor maintenance issues that could be fixed readily by the property owner but also recommend the side porch be demolished.

- TA Townsend verified all these conclusions were made from TI Naples observations from the road and was told yes.
- TA Townsend asked if TI Naples feels his conclusions about the side porch pose a threat to the general public?
- TI Naples said with the location, if the porch were to collapse, it would fall on the property; there is no danger to the general public in this case.
- TA Townsend asked if it is not evident that there are improperly distributed loads on the side porch and TI Naples said yes.
- TA Townsend asked for TI Naples to offer an opinion on the percent of damage or deterioration that is observable at 309 Gray Street.
- TI Naples said this isn't something they normally access; usually an insurance adjuster would do this. In his experience, just from the color of the lumber, it isn't new lumber and has been exposed to the elements for a long time. It is an older building. Based on being able to see completely through the building from the front to the back and side and through the roof, I feel we are close to 50 - 75% damage on this property.
- TA Townsend said Mr. Jones is here and would like to be heard. He stated he would like to work with the Town on this.
- Mr. Miles Jones stated 309 Gray Street is a 100+ year old home and it is in bad shape. The reason the gentleman can see through the house is because I took off the front porch. There is a cable attached from the front to the back of the house to ensure it stays but you can see through the roof because of another structure I have taken down. The windows on the ends aren't there because of young people in Town breaking them out previously. To get onto my property you have to go across another property so you would be trespassing on at least 2 properties to get onto my property. At the gable end of the structure I have started removing the siding. I haven't done a lot on the house in years. When I bought it, the house was in decent shape and was continuously vandalized. I took the windows and plaster out with intentions of remodeling the whole house but decided structurally I didn't want to spend the money on it. I have since been using it for a storage facility. If someone has looked at the house in the last several days, there is no roof on the house. I have removed the back half completely off and laid the top half down and getting ready to take it down. I plan on taking the majority of the building down, want to save the lumber as I do it. I don't have a real issue with this; just don't like someone telling me I have to do it. However, I'm demolishing the house as we speak. Referring to 308 Gray Street, I received a letter last year telling me the chimney and windows had to be fixed and house numbers put on it, I did all those things. In regards to the porch in the back, it is a combination of porches. It is over the door that goes in the back of the house. The porch from the door forward is gone, I have taken it down. Underneath the house is a combination of old piers and cinder blocks. I have left a small overhang porch over the door and window and will put in a better support system. The

one corner of the house is the heater room of the house. There is 15' of roofline left on the corner and may have to put some new shingles on the house.

- CW Gorman asked when Mr. Jones plans on having the building at 309 Gray Street completely demolished.
- Mr. Jones said he should have done things years ago and hasn't been able to do anything for about 5 years due to health issues. He added that owns 8 properties in Townsend and some that are in the County outside of time. This is mentally, financially and physically hard on me.
- CW Gorman said she understands but with all due respect they have to treat Mr. Jones just as do everyone else.
- Mr. Jones said he understands and said he has only been working on the building for several days and has a lot done, the building is coming down. It is a matter of time.
- CM Ness said in regards to 308 Gray Street, there are unsecured windows at the back.
- Mr. Jones said the windows have been fixed.
- CM Ness said at 309 Gray Street you mentioned cable strapping. Is it holding the house together?
- Mr. Jones said he has a strap through the house for added support so nothing shifts or falls.
- CM Ness asked if by taking the roof off, does it help or hinder for making the conditions better.
- Mr. Jones stated if the house falls now, it will fall on my property, not the sidewalk or street. I will take the structure down a section at the time, it won't fall.
- CM Ness asked if Mr. Jones if he has any idea how long before the structure will be down.
- Mayor Hatton stated Council would like to give a 30-60 day window to have the structure down.
- Mr. Jones said he would rather them not do that, he will continue working on it, doesn't like deadlines and being told to do it.
- Mayor Hatton stated Council has to be consistent, just had this same type of situation not too long ago. If Council gives you 60 days, can you have it down?
- Mr. Jones stated he should have the majority of it down. Won't pay someone to do what he can do himself. May leave the foundation, was promised by previous Councils that any structure in Town that is torn down, the existing foundation can be used as a footprint for building again.
- Mayor Hatton asked TI Naples if per our codes, Mr. Jones could build on the existing foundation if it is structurally sound.
- TI Naples said it is out of his area of expertise, should ask the Town Engineer. Typically with zoning codes, if a property has 50% or more damage, the footprint of the building would not be grandfathered in. If you were to build again on the foundation, with the current zoning for the property, it will limit what can be built there and the use for the structure.
- CM Sutton asked if a demolition permit would be required from the Town for the demolition of this building and was told yes. CM Sutton asked Mr. Jones if he applied for a demolition permit.
- Mr. Jones said no, he has never had to have one before.
- CW Gorman stated with the building so unsound, is it more dangerous to give Mr. Jones 60 days to remove it rather than 30 days. She added she is concerned for the safety of surrounding residents.
- TI Naples stated given the age of the property and over the last 12 months he hasn't witnessed any significant deterioration (without seeing inside the structure), he doesn't feel 60 days is unreasonable in this case.
- CM Ness asked TI Naples what more he feels needs done, if anything with what Mr. Jones has already done to 308 Gray Street.

- TI Naples stated he would have to first see what has been done. He requested Mr. Jones formalize both properties under a permit which would allow us entry into the property to inspect what has been done.
- TA Townsend asked Mr. Jones if he would be opposed to applying for a demolition permit for 309 Gray Street.
- Mr. Jones said no.
- Mayor Hatton said for clarity, you won't get the permit or you aren't opposed to it.
- Mr. Jones said he isn't opposed to it, if it will resolve the issue I will get it.
- TA Townsend said it is important that we come away from this meeting with the understanding that Mr. Jones has not been authorized to re-build on that property. Council is not in a position to give that permission. That would require a separate permitting process with a good bit of information supplied before the permit would be approved.
- TA Townsend asked when the pictures of the properties were taken.
- TI Naples said all the information was compiled on July 3, 2014.
- TA Townsend asked Mr. Jones if the work he has done took place after this date and was told yes. TA Townsend stated he did a title search and Mr. Jones is the sole owner of the properties in question.
- CM Ness motioned, CW Gorman seconded to require Mr. Jones get a demolition permit for 309 Gray Street and demolish the structure to the foundation within 60 days. Vote: unanimous.
- CM Ness motioned to have TI Naples do an inspection at 308 Gray Street...
- Mr. Jones stated there is no need for anyone to go on his property; what you see is what you get.
- CM Ness said it is to ensure the side porch has been removed.
- Mr. Jones said you can see it, it is gone.
- CM Ness stated Mr. Jones said he only removed part of the porch.
- Mr. Jones said correct, part of it is still good, removed the part that had a hole in it. The door and window are still there and will put a better post in to support the roof. I left it there for an overhang over the door.
- CM Ness verified the windows have been sealed up and Mr. Jones said yes.
- CM Ness asked if the vehicles have been removed and Mr. Jones stated he will do that, not a problem.
- CM Ness explained Council would like someone to take a look as TI Naples recommended the whole side porch be removed and you only removed a portion. Council would like verification.
- CM Ness motioned to have TI Naples review the property at 308 Gray Street from the street to ensure the windows have been boarded up and the side porch removed to satisfaction. CW Gorman seconded.
- TI Naples was asked and agreed that he will look at the property from the street as before.
- Vote: unanimous
- TA Townsend thanked Mr. Jones for the cooperation you have shown and hope you can work with us going forward. I hope you can bring these two properties into compliance in the most painless way possible. I'm encouraged that this can occur.
- Mayor Hatton also thanked Mr. Jones on behalf of Council for coming in and willingly working on the properties.

**VI. Adjournment:** 7:45 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

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## 7:15 pm – Public Hearing

**I. Call to Order:** 7:48 pm

**II. 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

- III. **Pledge of Allegiance:** Pledge was said
  - IV. **Final Reading of Ordinance No. 14-04; Annexation of 660 Commerce Street, Townsend, DE**
    - a. Mayor Hatton stated if this act is approved an enclave will be annexed into Town limits.
    - b. There was no discussion.
    - c. CM Ness motioned, CW Gorman seconded with unanimous vote to move the approval of adoption of Ordinance No. 14-04 to the Council meeting.
  - V. **Adjournment:** 7:50 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.
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### 7:30 pm – Council Meeting

- I. **Call to Order:** 7:52 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. Pledge of Allegiance: Pledge was said
  - c. Recognition of Visitors: 20 residents
  - d. Announcements: Thursday, August 21, 2014 at 6:00 pm, the historic Townsend Elementary School will be celebrating its grand re-opening. Everyone is invited to attend.
- III. **Additions/Deletions to Published Agenda:**
  - a. CM Sutton asked to remove 7b, nothing to report.
  - b. CM Ness motioned, CW Gorman seconded with unanimous vote to accept the agenda as written with the above deletion.
- IV. **Council Minutes** (copies on back table )
  - June 18, 2014 Mid-Month minutes approved 7/23/14
  - July 2, 2014 Council minutes approved 7/23/14
- V. **Mayors Report**
  - a. Discussion to rename the Volunteer of the Year award (added 8/5/14)
  - b. Mayor Hatton said the Town lost resident Granville “Bud” Higgins last Thursday. He was laid to rest yesterday. He did a lot for the Town, he volunteered for everything and then some. Council has agreed to rename our Volunteer of the Year Award to the Granville “Bud” Higgins Volunteer of the Year award.
  - c. CM Ness motioned, CM Sutton seconded with unanimous vote to rename the volunteer of the year award for the Town of Townsend to the Granville “Bud” Higgins Volunteer of the Year award.
  - d. CW Gorman added that even while Bud was sick he came to the meetings and apologized for not being able to do more. He is the epitome of what volunteerism about. It is an honor for us to be able to do this.
  - e. Mayor Hatton said he spoke with Mrs. Higgins and their children at the viewing yesterday. One of the things displayed at the viewing was the plaque he received last year from the Town for the Volunteer of the Year. They stressed in his obit how much he loved the Town of Townsend. All members of Council were in attendance yesterday and they thought it was great that we showed up to give our final respects to Mr. Higgins.
  - f. Vote: unanimous
- VI. **Reports**
  - a. State Police: Lt. Tom Paskevicius
    - Lt. P stated all criminal activities cross his desk.

- Crime trends in the area are the usual ones; unlocked vehicles have items stolen from them.
- On July 1<sup>st</sup> there were 5 hits on Main Street; someone reported a robbery of something stolen off his porch.
- On July 9<sup>th</sup> there was a home invasion on Main Street. 95% of the time a home invasion is targeted for a specific reason, revenge, drugs, etc. Very rarely is a home invasion random. In the same time period there was a home invasion on Summit Bridge Road due to drugs. Both of these home invasions were targeted.
- There was a window in a home on Main Street shot out with a BB gun, same thing on Noxontown Road. We have no suspects right now.
- Encourage people to call the police and report anything you see even if it is minor, it helps us link crimes together and helps us solve many cases.
- Desiree Dewey asked what a person is legally permitted to do if someone is in the house illegally.
- Lt. P said if they are in your house, do whatever you have to, to protect yourself and your family. If they are outside, call 911 and let the police do the work.
- Next month there will be a safety presentation during the meeting.
- Ellen Willey said there are some 12-13 year olds that are peeping toms. She has caught them looking into her windows and the neighbors windows and she ran them off. She asked if the police will take care of them or does she have to.
- Ms. Dewey added there are teenagers running around Town in the wee hours of the night and causing all kinds of problems.
- Ms. Willey said she knows where these kids all live.
- Lt. P. asked for the names and/or addresses and the police will follow up.
- Richard Ruof stated they are hitting Townsend Station also.
- John Hanlin said they marked cars up with food stuff last night and left the empty containers. He added they called the police.
- Ms. Willey added there are teenagers carrying guns in the park and running other kids off with the guns.
- Jack Fitzhugh asked why the park isn't patrolled.
- CM Ness stated we ask the police to stop in the park anytime they are in Town.
- Ms. Dewey said there are plenty of patrols giving tickets for seat belts; we need patrols at night to keep these gangs of kids in line.
- Mr. Hanlin agreed, he said we don't need police sitting in the fire company parking lot; they need to be patrolling and be seen.
- CM Ness reminded the residents that people need to call the police every time they see something. If there are no reports, nothing can be done.
- Dave Bailey asked why the Town doesn't have a Town Watch.
- CM Ness said there is a Town Watch, people don't actually go out but if something happens somewhere in Town a mass email is sent out so they can watch in their areas and pass on information to their neighbors.
- Mr. Bailey suggested getting a group together to patrol the park Thursday through Saturday night. If people won't help, they have no right to complain.
- Mayor Hatton suggested anyone that is interested should give CM Ness their name, number and email. He possibly can get the watch started back up.
- CM Ness added that Lt. P has offered to help us set up an active Town Watch. He said he is also frustrated and has confronted people in his development. Without police reports, there isn't much that can be done.

- Mike Ruhman said he isn't familiar with any of these problems; he doesn't use the park however looking at the finance report, why can't the Town hire some security company to patrol problem areas 6-8 hours a day.
- b. Representative Jeff Spiegelman
- Out of session, will be back in January.
  - No matter who is in office in January, we will work on getting the Town charter passed.
- c. Townsend Fire Department: Keith Shoemaker
- Last Saturday of every month if the company BBQ.
  - Bob Biggs stated the Town can set a table up to sell t-shirts if they wish.
- d. Town Attorney Fred Townsend III:
- A citizen requested a zoning determination dated July 22, 2014. He will have a written response by the end of the week. To clarify, a request like this if officially submitted to the administration rather than Council. Council does not make a zoning determination, Council passes laws, administration interprets those laws, Council has the right to modify and change the laws on a case by case basis, but Council doesn't receive applications for zoning certifications. They go to the Town Manager who consults the Town Attorney. The applicant can then appeal the decision to the Board of Adjustment.
- e. Town Engineer Owen Hyne:
- Working on upkeep and maintenance control in TVI and TVII.
  - DelDot in the middle of paving Main Street; the same contractor is doing the paving that did the streetscape. Should be paved by Thursday or Friday.
  - Mr. Bailey suggested all the curbs be checked first, there is dirt all the way up and you can't pave on top of it, needs cleaned up first.
  - TE Hyne stated it will all be cleaned before the paving.
  - There was a discussion with the residents about people getting flat tires during the work and the work in general. Many complained about the flaggers, said they were too busy on their cell phones to pay attention to traffic. Huge safety hazard.
  - TE Hyne stated he would talk to the contractor and DelDot in the morning.
  - Mr. Haines asked who is responsible for the dead trees, they were never watered and was told the contractor will plant new trees, mulch around them and put water bags on them.
  - CW Gorman asked what types of trees were planted on Main Street.
  - TE Hyne stated they are Princeton American Elm.
  - Mr. Haines added the curbs need checked, last week when they were grading they scraped the curbs and cracked and chipped them in many places.
  - Several residents commented on a grass company doing the streetscape.
  - Mayor Hatton stated the name is deceiving; they are not a grass cutting business. He added the state and federal government are paying for this job and Grassbusters are doing several other projects in the State. They are fully certified and licensed.
  - Mayor Hatton stated he walked the entire area of the streetscape last week and there is a punch list of things to be fixed.
  - Ms. Dewey asked if any more structures or developers are going to build; was told several years ago this wasn't going to happen.
  - Mayor Hatton said the property at Main Street and Rt. 71 was sold to a developer several years ago, prior to anyone on Council. We didn't go to them, they came to us; the entire property was already zoned commercial.



- Ms. Dewey asked if there are any restrictions for commercial developers buying property in Town and was told no. She asked who is overseeing the streetscape and was told RVB and DelDot.
  - Ms. Willey said the whole reason for the streetscape was to make it handicap accessible. There are areas you won't get a wheelchair through; the light pole is in the middle of the sidewalk.
  - TE Hyne said ideally there will be a 5' sidewalk everywhere but due to extenuating circumstances in some areas, the sidewalks in some areas are somewhat smaller.
  - TE Hyne said Delmarva will be here next week to start installing the street lights.
  - There was a discussion about the ADA required ramps and sidewalks.
  - Ms. Dewey commented that busses and large trucks will not be able to pass the bump-outs with another vehicle coming at them. There isn't enough room.
  - Mr. Ruhman said this has been a problem since he moved to Town in 1996. Council lets commercial trucks use Main Street causing vibration and damage to residential homes. Everyone on Council lives in a development and don't have to deal with this daily. He asked who he submits his bills to for the cracks in his drywall caused by trucks grinding over rough road. He added he showed the cracks in his house to TE Hyne. Everyone always says they want to be like Middletown, we don't want to be like Middletown, moved here for the peace and quiet. Council lets 100's of garbage trucks go down Main Street starting at 5:00 am everyday 6 days a week. The bump-outs never should have been put in. He added that the Town has spent thousands of dollars on a streetscape to beautify the Town; yet how beautiful is it to watch a parade of garbage trucks go through Town every day, they are ignorant and they speed down Main Street. He challenged everyone on Council to have coffee with him on his front porch at 5:00 am during the week and see how they would feel about this issue.
  - TE Hyne stated the truck traffic came long before this project.
  - CM Ness stated Council will speak to the trash company and remind them of the 25 mph speed limit in Town. He added this is a state road and there is only so much we can do.
  - Mr. Ruhman stated Council is missing the point. The trucks need to be banned from driving through Town just like in Middletown and Odessa. Most of the houses on Main Street are 100+ years old and all of them are sustaining damage.
  - Ms. Dewey added that all of Council live in the developments, don't live in Old Town and therefore don't have to deal with this.
  - CM Sutton said no one should single out who lives in Old Town or a development; we are all one Town, all of us have different issues. You say we don't deal with these issues, yet we do, we all volunteered to run for Council.
  - Mayor Hatton said Council will look into this to see what can be done.
- f. Town Manager Dawson Green:
- Construction has slowed down.
  - TES received their CO and will open this school year.
  - Mr. Hanlin asked TM Green if it is a sewer or stormwater connection on Main Street to the Dollar General.
  - Mayor Hatton replied it is a sewer connection.
  - Mr. Hanlin asked why the sewer had to be connected down Main Street.

- Mayor Hatton explained they asked the fire company if they could tie in next to them but would have to bore under the front of the fire company and no one wanted to do that.
- Ms. Willey asked Council why the residents in Town weren't told their water is being pumped from Middletown. Artesian Water told her this.
- Mayor Hatton explained the water rights were sold to Artesian Water years ago and the Town has no say about the water but it is pumped from Rt. 13.
- Ms. Willey said Council is supposed to look out for the people, they should have told Artesian to notify the residents in Town.

## VII. Committee Reports

- a. Finance: Chair – Jermaine Hatton
  - Finance Report
    - I. Total Assets - \$3,505,705.72
    - II. Total Liabilities - \$2,955,835.31
    - III. The audit will be done in September.
- b. Public Works: Chair – CM Rudy Sutton – removed from agenda
  - Streetscape Change-order #6 (added 8/4/14)
- c. Land Use & Development: Chair – Jermaine Hatton
  - Adoption of Ordinance No. 14-04; Annexation of 660 Commerce Street
  - CW Gorman motioned, CM Ness seconded with unanimous vote to annex 660 Commerce Street into Town limits.
- d. Community Relations: Chairs – CW Cindy Cook
  - Encourage all of Council to submit their reports for the newsletter by August 20, 2014.
- e. Public Safety: Chair – CM John Ness
  - Information about the community watch will be in the newsletter, encourage anyone interested to email me all contact information.
  - Ask and encourage people to call the police if they see anything out of the ordinary.
  - Will call the trash company about speeding through Town, have had additional police on Main Street, Railroad Avenue, and Commerce Street to try to reduce speeding.
  - There was a general discussion about miniature solar speed signs in Town.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
  - Electrical Installation at the Park – work is underway. The overhead lights are in the gazebo and pavilion. More work to be done, hope to be able to do more in the park once the electric is in. The Town can lock the electric boxes and turn it on when needed.
  - Mr. Bailey asked if the lights will be off during the night and was told yes.
  - Small Gazebo Repair at the Park – repairs should be completed within 2 weeks.
  - Annual Town Fair & Parade – Saturday, September 27, 2014
    - I. Plans underway, if you know anyone that wants to participate in any way, let us know. All the information will be on the website this week. September 12<sup>th</sup> is the deadline for registration.
    - II. The resident that was interested in planting a memorial tree in the park has decided not to do this.
    - III. Duck Creek library sent a letter about building a new regional library because Smyrna Library will be closing. They are looking for support.
    - IV. **Citizens Comments & Participation**

- g. Mr. Bailey asked who maintains the grass behind the houses on Commerce Street up to the railroad tracks.
- h. TM Green stated Norfolk owns the property and it is between the homeowner and the railroad.
- i. Ms. Willey said the Town maintained the property for 17 years because they took pride in the Town. The railroad has always owned the property but not maintained it.
- j. TM Green said we have no problem doing it but if we get hurt, it could be a liability issue.
- k. Mr. Bailey asked if the Town could buy the side parking lot next to the post office for extra parking and there was a discussion about this topic.
- l. Mr. Fitzhugh asked when the trash cans on Main Street will be emptied.
- m. TM Green stated they will be done weekly, more if needed.
- n. Mr. Bailey asked when the streetscape will be done.
- o. TE Hyne said it will be a couple more weeks.
- p. Mr. Fitzhugh asked who paid for the striping in the park and was told the Town.
- q. Mayor Hatton explained there is an outside organization that is working on the history of the Town and how to preserve and beautify the Town.
- r. Ms. Dewey asked if a volunteer committee could be formed to beautify the Town like buying new Christmas decorations, flags, etc. and bring the Town together.
- s. Mayor Hatton stated there are multiple committees and any resident is welcome to join them. CW Cook's community events committee could work on these issues. We can't do some things because of lack of participation from residents.
- t. Mr. Ruhman stated the previous Councils bickered like they were in kindergarten, had their own agendas including corruption, illegal board of adjustments, they were all a joke, which is why you don't have participation from residents now.
- u. Mayor Hatton said he wasn't on those Council's and won't say anything bad about them. All of current Council is trying to do everything that is best for the Town, none of us have our own agenda, if we are told about things, we will try to do something about it.

**VIII. Adjournment:** 9:35 pm, CM Ness motioned, CW Gorman seconded with unanimous vote.

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