



## Mid-Month Council Meeting Minutes July 23, 2014

### Meeting: 7:00 pm

#### I. Call to Order: 7:00 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: Dwaine Haines, Sandy Sturgis
- c. Pledge of Allegiance: Pledge was said
- d. Announcements: none

#### III. Additions/Deletions to Published Agenda - none

#### IV. Council Minutes

- a. Approval of June 18, 2014 Mid-month minutes
- b. Approval of July 2, 2014 Council minutes
- c. CM Ness motioned, CM Sutton seconded with unanimous vote to approve the minutes.

#### V. Reports

##### a. Fred Townsend III, Town Attorney

- NCC received our FOIA request and had some questions which I answered. We should be getting a reply soon.

- Council needs to set a date to finalize the charter to send back to Leg Hall unless you want me to do this. Have been trying to get appointment with the Governor's office about their 2 issues with the charter and no one has returned my calls. One issue related to the procedures for annexation and the other had to do with assessments.

- Mayor Hatton explained the charter was pulled as several issues needed addressed. When Leg Hall is back in session in January they will have a clean version of the charter to pass and send to the Governor for his signature. The annexation section was shortened to the Middletown version and it isn't illegal the way it reads, they just want more detail.

- TA Townsend said it can go to Leg Hall anytime, the sooner they get it, the sooner it will be on the docket when they are back in session. We should do this in the next couple weeks.

- TA Townsend said we are a couple weeks away from our second dangerous building hearing.

- Mayor Hatton asked if we had a report from Dave on his findings for these two buildings.

- TA Townsend said Dave will be the key witness at this hearing.

- Mayor Hatton asked TE Hyne to ask Dave to attend the Public Hearing at 7:00 pm on August 6<sup>th</sup>.

- Mayor Hatton asked TA Townsend about the FOIA request he forwarded to him in reference to Diamond State Motors. Mayor Hatton stated they had their first auction, which was advertised, but it wasn't just autos, they sold guns at the auction also. In 2011 they petitioned the Town to build a sporting goods store on the second level and it was granted but it was never done, therefore they don't have a business license for it. In May Council approved them holding auctions but it was very specific to automobiles, guns were not included. Spoke to Brian Hayes last week and told him guns were not to be auctioned and he agreed. 48 hours later I received this 2 line email I forwarded to you.

- TA Townsend stated a person doesn't have to use the Town FOIA request form, they can write a request and we have to abide by it. TA Townsend was given the request and stated this isn't a FOIA request even though he is calling it a FOIA request. It is simply a question and I will write him a letter. TA Townsend added Council needs to appoint a FOIA manager and they need to keep a log book or excel spreadsheet.

- TM Green said Council appointed that position to me last year and there hasn't been a FOIA request since then.

- Mayor Hatton asked TA Townsend to work with TM Green to ensure all the information that needs to be logged per FOIA is done.

b. Owen Hyne, Town Engineer

- TVI is continuing with utility work. I will continue to press Rob to have the contractors use the construction entrance on the west side of TVI and keep them off Edgar Road.
- Sanitary sewer and overhead utility work is being done on Main Street.
- The concrete work is almost done for the streetscape. We are now going to discuss the punch list items. Deadline for the project is July 31<sup>st</sup>. DelDot hired Grassbusters to also do the paving on Main Street. The Town has nothing to do with this but it bumps some of the final stages of the streetscape. They are going to mill the road and repave it the week of the 28<sup>th</sup>. This will take approximately a week. Once the paving is done they will do the striping. Trees, benches and trash receptacles are in.
- CM Ness asked if the brick accent is going to be finished.
- TE Hyne said we will ask them to sand it again.
- Mayor Hatton asked where we stand with the budget and TE Hyne said he will have the numbers at the August meeting.
- Ms. Sturgis said there are bricks that have already popped in front of her house. She said she also has a major flooding issue in front of her house every time it rains because the new sidewalk is higher than my existing sidewalk.
- TE Hyne stated he will look at this after the meeting.
- Mayor Hatton asked TE Hyne to email Council with his findings.
- TE Hyne said there are four blacktop driveways that Grassbusters still has to marry to the concrete. Also, Delmarva asked Grassbusters to not run the wire until they install the lights. They don't want the wire stolen. The lights are in and have to call Delmarva to schedule the installation.
- CM Sutton stated Council was given a picture of Dollar General prior to construction starting. The existing building looks nothing like the picture. This is a steel building. What is going on with this?
- Mayor Hatton said he called Frank and was told the stucco and brick will be put up once the building is up. When it is done, the building will look like the picture.
- CW Cook said several residents have complained to her about contractors starting work before 7:00 am in TVI.
- TE Hyne stated he will contact Rob Allen about this.
- TE Hyne stated the park electrical started this week.

c. Dawson Green, Town Manager

- 316 Gray Street applied for a building permit for some inside renovations. The owners are cleaning up the area on Cannery Lane and hope to be done the middle of next month. They want to talk to Council next month about the business they want to put there.
- A realtor called today about 3 parcels on Caldwell Corner Road across from TVI, 1 parcel is part of Town, she asked about possibly annexing the other 2 parcels in Town to enable her to get sewer. She is going to contact NCC Sewer to see if they could run it there and get back to us.
- The radar trailer has been on Commerce Street but a resident said the people are still speeding.
- Mr. Haines stated it isn't working correctly. There won't be any cars around and it goes from 1-30.
- TM Green will look at it again.
- Mayor Hatton asked what the owner at 316 Gray Street is doing with the empty lot on Gray and Walnut, and is he whole with the Town now.
- TM Green said they are storing some cars there now.

## VI. Committee Report

a. Finance: Chair – Mayor Jermaine Hatton

- We are knee deep into the audit; a lot of documents have been sent to the accounting firm. Signed the engagement letter tonight, the auditors will be here on August 14<sup>th</sup>. It is moving rapidly.
- CW Gorman asked if the end of year ledger sheets are available to Council now and Mayor Hatton said the email Azure for them.

b. Public Works: Chair - CM Rudy Sutton

- Grass Violations:

● We discussed overgrown grass and making fines tougher at the last meeting. CW Gorman and I researched how other Towns our size handle this situation. It is harder for us because we don't supply any utilities to residents to use as leverage to ensure they keep their lawns up. Our biggest problem is with the developer Mark Sapperstein. I don't believe we should change the ordinance because of one developer.

● CW Gorman stated she believes we need to do something. JS Homes owns several of the lots and has a bale of hay sitting at the street, debris in the open spaces and they don't keep the lots mowed. We need steeper fines, if we leave it as it is this will continue to be a problem every year. Residents are extremely disgusted.

- Mayor Hatton asked where we stand with notices sent this year.

● TM Green said it is a little better, the problem is the developer and he lives out of state and doesn't see it.

● After a long discussion it was decided CM Sutton and TM Green will work on the ordinance to have it in place before grass season next year.

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

- Introduction of Ordinance No. 14-04; Annexation of 660 Commerce Street

● Mayor Hatton introduced Ordinance No. 14-04 which is the annexation of 660 Commerce Street. This is currently an enclave and the new owner wishes to annex the property into Town.

● Mayor Hatton stated the final reading of Ordinance No. 14-04 will be on August 6<sup>th</sup>, prior to the Council meeting.

d. Community Relations: Chair – CW Cindy Cook

- Community Events

1. CW Cook asked if anyone is familiar with the Main Street Re-vitalization group headed by Shauna McVey. She stated she would like to talk to her and engage the group to help plan more community events in Townsend if Council would approve having more events. The church and the TES Booster Club have already agreed to help us with anything we decide to do.

2. Mayor Hatton said he will send Shauna's email address to CW Cook.

- Town Web Site

- There has been a 67% increase in people looking at our website.

- CW Cook asked who updates the website if TM Green isn't in.

- TM Green stated he and Azure are the only 2 who has access to update the website.

● CW Cook asked to have the licensed contractor list added to the website and stated our website and facebook pages are 2 tools people look at regularly and both need to be updated daily. If they look dormant people will quit looking at them.

● TM Green said he will be happy to put anything Council wants on the website, just have to let him know.

- CW Cook asked Council to use the web site and send TM Green notices to post.

● CM Ness offered to be a back-up for posting on the web site. TM Green will send him all the contact information to be trained through GIS.

e. Public Safety: Chair – CM John Ness

● The speeding hotspots are Wiggins Mill Road and Commerce Street. I will ask to have patrols increased in these areas.

● There was a long discussion about the safety and legality of the jacked up car on the corner of South Street and Main Street. It has no tires on it and has electric cords running across the street for someone to work on it.

● CM Ness motioned, CM Sutton seconded with unanimous vote to have CM Ness call the State Police and DelDot to get the car moved.

f. Parks & Recreation: Chair – CW Lorraine Gorman

- Townsend Municipal Park Electrical Improvements

1. Change order #2 – lockable switch covers

a.CW Gorman said change order #2 is two lockable boxes for the light switches, one in the gazebo, and one in the pavilion. She stated she thought Council had also agreed to have lockable covers on the electrical outlets.

b.TE Hyne said he will look into them and get back to Council.

c.CW Gorman motioned, CM Ness seconded with unanimous vote to authorize an additional \$225.00 for 2 lock boxes to cover the switch covers in the pavilion and gazebo.

- Park Maintenance Projects

1. Parking lot striping – this is done and looks good.

2. Repair of small gazebo – need the contractor to come in and get his license. Also need

a start date.

- Annual Townsend Fair & Parade – Saturday, September 27, 2014

- 1.The newsletter is coming out in August; want to devote an entire page to the fair. It is perfect timing. Last year we sent a letter to all the residents. Also want to thank our sponsors in the newsletter.

- 2.Recently found out we have to have an insurance rider for the day of the fair, never had to do this before. Trying to work through all of it. Most recent quote is \$550.00 for the day. We may have to rethink things and need answers to lots of things.

- 3.Still need volunteers for the fair, preferably adults.

- 4.Am considering using the multi-purpose for visitor parking, need adults to direct parking the entire day.

- 5.If anyone knows someone that is artistic, could use their help to make the photo cut-outs.

**VII. Citizens Comments & Participation:** none

**VIII. Adjournment:** 9:25 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

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