



Townsend Council Meeting Minutes

January 3, 2018

7:30 pm – Council Meeting

- I. Call to Order: 7:30 pm
- II. Opening Ceremonies
 - a. Roll Call: Mayor Rudy Sutton, CM Jermaine Hatton, CW Lorraine Gorman, CW Cindy Cook, CM Steve High, TA Fred Townsend, TM Dawson Green, TC Cathy Beaver
 - b. Pledge of Allegiance: Pledge was said.
 - c. Recognition of Visitors: 5
 - d. Announcements:
 - Town Hall closed Monday, January 15, 2018 for Martin Luther King Jr. Day
- III. Additions/Deletions to Published Agenda:
 - a. CM Hatton asked to remove 6a, 6b and 6d, none of them are here.
 - b. CM High motioned, CM Hatton seconded with unanimous vote to accept agenda with above deletions.
- IV. Council Minutes
 - a. Approval of 12/20/17 Council minutes
 - CW Gorman motioned, CM Hatton seconded with unanimous vote to accept the minutes.
- V. Mayors Report
 - a. Spoke to NCC about the Lucas 2020 census and they will handle the entire count. There is no benefit for any municipality to do it themselves. This is only retrieving addresses.
- VI. Reports
 - a. State Police: Lt. Anthony Hudak – not here
 - b. Representative Jeff Spiegelman – not here
 - c. Town Attorney Fred Townsend III:
 - TA Townsend thought Council had a public hearing on the proposed rental ordinance and was told it hasn't been scheduled yet.
 - He stated he has received some questions about the addendum to the lease (in the proposed rental ordinance) that indicates the landlord must terminate any tenants doing illegal activities. This is causing problems amongst the landlords in Town. He said he believes our ordinance as written puts it on the landlord rather than the tenant. There is already a law that landlords can terminate a lease if they find a tenant is involved in any illegal activities. The Town's obligation to the landlord doesn't remove the tenants right to due process, it pushes the landlord to start due process. It is a simple statement in the addendum, don't see this as negatively affecting the due process of the tenant.
 - Mr. Tait stated he has been in this situation. It is a great theory but as a landlord, I can't terminate a tenant on heresay, I must have concrete evidence before starting the court process. He added that this is very sensitive to him; used to own many properties in Wilmington and they said if I didn't stop the drug dealings at my properties they would take my properties. They suggested I buy drugs from my tenants to be able to evict them. I sold all my properties, not doing anything illegal. This ordinance, like Wilmington's expects landlords to police our tenants. It is not my job to be a policeman, this is being pushed on landlords, making us responsible for what our tenants do – it is not right.
 - After more discussion TA Townsend stated he understands Mr. Tait's feelings; however, this is a growing trend and someone must take responsibility.
 - d. Town Engineer Aquilino Andres Jr.: - not here
 - e. Town Manager Dawson Green:
 - TM Green clarified that in the January meeting he stated the new trash/streetlight bill would start with January. What he meant was the first bill should go out to residents in February and will have the January light bills on it. The Town will always bill the month after the light bills are paid. Still working with Edmunds on the bill.
- VII. Committee Reports
 - a. Finance: CM Jermaine Hatton

- By the middle of the month Council will receive all the documents with the finance information emailed to them. Now that TM Green is back in the office we will work on getting everything to Debbie to enable us to get the information to Council monthly
 - Mayor Sutton asked where we are with all of Council being able to view the PNC accounts.
 - CM Hatton stated now that TM Green is back they are working on this with Debbie also.
- b. Public Works: Mayor Rudy Sutton
- Spoke with TM Green to get the Delmarva contact to see if they will work with us on the streetlights. Want to find out the actual cost to purchase the existing lights (all decorative lights, not cobra heads).
 - CM Hatton stated if we purchase the lights we need to see if they will do a maintenance agreement to maintain them and what it would cost.
 - TM Green said they won't do a maintenance agreement.
 - Mayor Sutton stated it is still important to get the information on purchasing the lights. We could arrange a maintenance agreement with any company.
 - CW Gorman asked if Mayor Sutton was going to ask them about changing all the bulbs to LED bulbs.
 - Mayor Sutton stated they have many different LED bulbs now but currently can't put them in rented poles.
 - TM Green asked if Council should require the developer to put LED lights in the remaining poles to be installed in the developments.
 - Mayor Sutton said this should have been done years ago. There are approximately 20 lights left to be installed now.
 - TM Green said the Town would have had to enter into another agreement with the developers and verified they were responsible for the lights until the developments were turned over to the Town if we had them install LED bulbs.
 - Mayor Sutton said typically snow in Town isn't plowed until we get 4" or more. Because we have had extremely cold conditions, spoke with Mike at Austin and Bednash and they will start plowing and spreading salt well before we get 4" of snow. Trying to alleviate a dangerous situation. Mayor Sutton asked Council to approve sending out a Code Red Announcement for parking on the even side of the roads or streets in the developments from 9:00 am – 9:00 pm tomorrow, to allow the plows to safely do their job.
 - CM High verified this had been done in the past and was told yes.
 - Council all agreed the announcement should go out this evening and CM High said he would take care of it.
 - CM Hatton stated the streetscape is going out for preliminary preview. It will take 3-4 months and will then go for final review.
 - TM Green said he copied Mayor Sutton on an email he sent to DelDot requesting a handicap parking sign for Mr. Glanding.
- c. Land Use & Development: CM Jermaine Hatton & CW Lorraine Gorman
- Discussion/possible vote to approve recommendations from Planning Commission presented at 12/20/17 Council meeting
 - CW Gorman stated Council all received a package from the Planning Commission at the last meeting with forms they recommend using for zoning changes and annexations, setting a fee schedule and a checklist form so there is a paper trail that all can follow. My only suggestion to the PC would be to add the 5-year comprehensive plan update review to this packet for approval.
 - All of Council said they are OK with the forms the PC want to implement.
 - CW Gorman stated she isn't sure what any of the fees should be and asked TM Green to guide the PC on this.
 - TM Green stated a flat fee would be simpler. He asked Council if when something must be sent to PLUS, is the PC going to do the paperwork or is it going to be done by office staff. He added he knows the PC wants to be involved but doesn't feel this is their job.
 - CW Gorman clarified that we don't have a contract with PLUS and depending on what must be submitted determines what type of paperwork has to be done.
 - Mayor Sutton said he feels admin should do the paperwork, not the PC. He asked TM Green if he needs more time to review the forms and recommendations from the PC; TM Green said yes. This will be added to the 1/24/18 workshop agenda for further discussion.
- d. Veterans Committee: CM Steve High & CW Cindy Cook

- Nothing to report.
- e. Public Safety: CM Steve High
 - Nothing to report.
- f. Community Relations: CW Cindy Cook
 - “Let Your Lights Shine” contest winners
 - I. First place: 240 Edgar Road – Brian & Marissa Holl
 - II. Second place: 530 Ginn Street – Darren & Devon Dombrowski
 - III. Third place: 346 Sunnyside Lane – Timothy & Barbara Wright
 - IV. CW Cook announced the winners and Mrs. Holl and her daughter came to the front of the room and were presented the basket they won for first place. (Watch for their picture on Facebook). The second and third place winners were not able to come to the meeting and CW Cook will deliver their prize baskets.
 - V. CW Cook said several local business’ donated prizes to go with the baskets. Joe the Barber (MOT Barbershop) donated \$20.00 cash. \$10.00 went with the first and second place baskets. Little Italy donated a free large pizza for all 3 winners and LaMatesina donated a large pizza to the first-place winner. Lifehouse Church also donated Starbucks gift cards for all 3 winners. CW Cook thanked all the local business’ that made donations.
 - VI. CW Cook stated she received a lot of great feedback and many people participated in the contest. Some people decorated and didn’t even know we were having a contest.
 - VII. Mayor Sutton thanked CW Cook for pushing for this contest. It has been a big hit and feel it will grow every year.
 - VIII. CM High suggested we switch up yearly and next year do a contest for Halloween. Many people decorate for it also.
 - Flagpole lights for Town Hall and park flags
 - I. CW Cook stated she is still doing research to see what will be the best way to go.
- g. Parks & Recreation: CW Lorraine Gorman
 - Easter Egg Hunt – 3/18/18
 - 3 Movies under the Stars – 6/8/18, 7/13/18, 8/10/18
 - Annual Town Parade & Fair – 9/22/18
 - Christmas Caroling in the Park – 12/9/18
 - April is Autism Awareness month and Townsend will be participating in the event
 - I. CW Cook is working with high school students to “Decorate the Town Blue”.
 - II. CW Cook said she asked the students to come to a Council meeting to present their ideas on how Townsend can help. One of their suggestions is to have a fundraiser softball game in the park to raise money for autism.

VIII. Citizens Comments & Participation:

- a. Mr. Tait asked Council why they feel the Town needs a rental ordinance.
- b. CW Gorman said while she was researching the “Clean Hands” ordinance it triggered the rental ordinance.
- c. Mr. Tait asked what Towns CW Gorman talked too. He said most ordinances are code specific; it is hard to see what Council is trying to find with this ordinance. He added that NCC tried this and found it not necessary. He feels the fees in the ordinance will be one of the most expensive in the State.
- d. CW Gorman said she didn’t talk to the Towns, she researched all their ordinances. She added that the Harrington ordinance is very thorough and she used many parts of it to write our ordinance; specific violations for different code violations. She added the ordinance is designed to protect all residents, renters and their neighbors. Want to ensure all codes are being abided by to ensure everyone’s safety.
- e. CW Cook said most of this ordinance is already written within our codes and other ordinances. We have now consolidated it into one document which will make it easier for everyone, including the landlords.
- f. Mayor Sutton asked Mr. Tait to remember that Townsend isn’t as big as most Towns and Cities; can’t compare us to them when they have larger incomes. He added that this ordinance is still negotiable and asked Mr. Tait what fees he has a problem with.
- g. Mr. Tait said he understands but feels Council is missing his point. Many homes in Town need fixed up and now the Town will be taking away the incentive for landlords buying these homes in Town to fix up and rent when they have all these fees to deal with. Don’t understand why we must pay a \$75.00 registration fee every year. Once it is on the books, that should be the onetime fee. Also, anytime an inspection must be done it will cost \$75.00. Should be giving landlords/investors an incentive to buy old vacant homes in Town and fix them up rather than deter them with all these fees, this is a dis-incentive.

- h. CW Cook shared the “Hogs for Heroes” will be hosting a game show on 1/27/18 to benefit veterans and first responders. It will be held at the Townsend Fire Hall; doors open at 5:00 pm and the games start at 6:00 pm with no end time.
 - IX.** Motion to Recess for Executive Session: 8:36 pm, CM High motioned, CM Hatton seconded with unanimous vote.
 - X.** Motion to Convene Executive Session:
 - a. In accordance to 29 Del. C. §10004 (b) (9) the Town Council will be meeting in executive session to discuss personnel matters
 - XI.** Motion to close Executive Session & Re-Convene Council Meeting:
 - XII.** Adjournment:
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