

**City of Harrington**  
**MINUTES**  
**Swearing In Ceremony and City Council Meeting**  
**June 4, 2012**

A swearing in ceremony for the newly elected Council Members was held on June 4, 2012 at the Price Community Center, 103 Dorman Street, and was attended by the following: Mayor Robert E. Price, Jr.; Council Member Duane E. Bivans; Council Member Wayne Porter; Council Member Elect Amy Minner; Council Member Elect Cheryl Lahman; Council Member Elect Fonda Coleman; Keith Shyers, Deputy Chief of Police; Teresa Tieman, City Manager; Kelly Blanchies, Clerk of Council; Pastor Guy Simpson, Independent Bible Fellowship Church; and several members of the general public.

Mayor Price welcomed those attending the ceremony.

The Deputy Chief of Police led the Pledge of Allegiance.

Pastor Simpson said a prayer for the City.

The Clerk of Council swore in Council Member Elect Minner, Council Member Elect Coleman, and Council Member Elect Lahman.

Refreshments were served.

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Immediately following the Swearing In Ceremony, a meeting of the Harrington City Council was held on June 4, 2012 at City Hall, 106 Dorman Street, and was attended by the following: Mayor Robert E. Price, Jr.; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Cheryl Lahman; Council Member Amy Minner; Council Member Wayne Porter; Keith Shyers, Deputy Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also present: Tom Carroll, Code Enforcement Officer; Tom Englehart; Stacey Walls; and Jason Dean.

Council Member Kenneth Stubbs entered the meeting at 6:54 pm.

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

## **Annual Report to the Electors of the City**

Mayor Price stated the following:

It is my honor to give this year's annual State of the City Speech to the Electors of the City of Harrington. There is a lot positive to report.

Tonight we swore in three Council Members, incumbents Cheryl Lahman and Fonda Coleman and first time Council Member Amy Minner. Being a Council Person require a lot of time and dedication. I would like to start by thanking them and all who serve the City in this capacity and a thank you to their families for allowing them to serve. My thanks to Jack Stewart for his service to the community as a Council Member; although his tenure with the City was short, he gave it 150% all the time. I am pleased to be able to present his name as an appointee to the Planning and Zoning Commission later this evening.

During the last year we hired a new City Manager, Terry Tieman, who has done a wonderful job her first year. Shortly after she started, we hired a new Finance Director. They joined our existing City Hall staff that continue to do an excellent job for the City and our citizens.

This year's budget process had some streamlining, and we are proud to soon be presenting a balanced budget of \$3.8 million, realizing another year with no tax increase, and an enhanced tax credit program for qualifying seniors. This was important to all who worked on the budget, to do all we could to not add additional costs to the community. I am also pleased to report that we will finish this fiscal year within the projected budget. The City has always been run like a business, you only have so much money to work with, and you have to make the best decisions for the City as a whole. Outside of the general budget, the city has taken on the project, at no additional cost to citizens, of installing new water meters. This is in an effort to create a more efficient "pay for what you use" type billing in the near future. We are proud to announce that we have established a multiyear capital improvement plan, issues identified by department supervisors and administrative staff, to help us secure funding and schedule those improvements.

The I & I problem in Harrington is quite extensive and is even more of a time sensitive issue since now using the Kent County wastewater plant for our discharge. A very comprehensive study of the City in four quadrants was ordered, which presents a plan of action to attack this issue. Two quadrants have been completed and funding is being solicited to begin work.

Other City improvements during the past year includes the completion of the Downtown Streetscape Project, work is being completed to secure the grant funding to complete another phase of the overall project plan; the force main project is up and running, having been tapped into the Kent County system since

February; the project, which is presently 99% complete, requires the closing of the lagoons as its final stage. This project is set to complete at below budget. My thanks to Mr. John Rathje, a faithful employee for many years who kept our wastewater treatment plant up and running. John will retire soon, and we wish him all the best.

The Police Department has actively been able to secure over \$770,000 worth of equipment at no cost to the City through the LESO program. Computers, cameras, office equipment, dump trucks, pickup trucks, backhoes, all geared toward serving the City. Also a money seizure of almost \$375,000 has aided in much needed police building repairs, vehicles, and the new marquee. Again, all with no City dollars. The seizure was due to the outstanding work of Officer Joe Perna, who was named Officer of the Year. He, along with every member of our police force, from Chief Barlow on down the line, do an outstanding job for our citizens all year long.

The City saw several new businesses during the year. After a major overhaul, both inside and out, Rudy's restaurant opened. Mattlind Square was another project that did a major overhaul and has opened a Subway store and soon to open a pharmacy, with others to be announced. Royal Farms opened to the fanfare of the Governor and company executives having a ribbon cutting for their first "all green" store in Delaware. These are examples of projects that are spending a lot of time and money to bring business to Harrington, and we are thankful to them and all those that have chosen to open in Harrington. The Farmers' market made a move to downtown Harrington this year in an effort to create foot traffic and visibility to that area. We are thankful to Bob Callaway for providing the property for this venture. He along with Councilman Stewart made this a reality. Our thanks to those vendors that brave the hot weather to operate the market.

The City is continuing their efforts with the "Healthy Community" initiative. This along with all aspects of where our community is going in the future, is a part of our nearly finished comprehensive plan for the State. The committee working with the Comprehensive Plan have been meeting a lot to meet the criteria for the plan's final submission.

Our City relies on a variety of volunteers who serve on committees and boards like Planning and Zoning, Parks and Recreation, Library Board, Board of Adjustment, and others. We couldn't do it without these citizens. If you have an interest to serve your community on a committee or board, please let me know, as we are always looking for people to serve. I also would like us to remember our local veterans and those who are presently serving in the military from our community.

Our Parks and Recreation Department continues to offer quality programming for both kids and adults alike, all this under the direction of Bill Falasco. The next big

event that this department oversees for the City is Heritage Day in August. A day the whole town can come together for fun, food, and entertainment.

Our library, under the direction of librarian Chris Hayward, continues to offer services to adults and kids of all ages. Their summer programs are well received.

Our thanks to Alan Moore, Public Works Supervisor, and his entire crew for keeping the City running. They are the backbone of the City, maintaining all City property and assisting our citizens with problems every day of the year.

In closing, there has been much done for the City, and there is lots to do, our obligation is to identify issues and present solutions to them, a task none of the Council or myself take lightly. All this while, making sure we make our citizens feel safe and secure in a continuing tough economy. We are fortunate in many ways. Some cities have had to cut services, lay off workers (which hampers the delivery of services), raise taxes, etc. All in an attempt to just to break even.

I ask for your continued support and prayers for those who serve the City in any capacity; together we have always gotten through the rough times. We must continue to work together.

Our community as a whole is blessed with people helping people whether it be the volunteer fire company, who do an excellent job serving our community, or the food pantry, church outreach groups, or one of many other groups.

In conclusion, I thank you all for allowing me to serve as your Mayor. God bless the United States, and God bless Harrington.

## **Minutes**

### **May 9, 2012 City Council Workshop**

A MOTION was made by Council Member Porter, seconded by Council Member Bivans, to accept the May 9, 2012 City Council Workshop Minutes as presented. Roll was called: 5 Yes, 0 No (Bivans – Yes, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes). The MOTION passed unanimously.

### **May 16, 2012 City Council Workshop**

Council Member Bivans asked about a cat ordinance. The City Manager stated that she contacted Hetti Brown, and Ms. Brown is gathering information for a meeting between the City and the animal shelter community. We also sent her our ordinance, and she will send her recommendations. We are also seeking community involvement. Council Member Bivans stated that there is a problem also with owned cats. The

City Manager stated that we could require that every pet be tagged and cannot roam free.

Council Member Stubbs entered the meeting.

A MOTION was made by Council Member Lahman, seconded by Council Member Porter, to accept the May 16, 2012 City Council Workshop Minutes as presented. Roll was called: 5 Yes, 0 No, 1 Abstain (Bivans – Yes, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes, Stubbs – Abstain). The MOTION passed. Council Member Stubbs stated that he abstained because he was not present for the discussion.

### **May 21, 2012 City Council Meeting**

Mayor Price stated that the minutes for the May 21, 2012 City Council Meeting are not ready and will be presented at the next meeting.

### **Old Business**

#### **Public Hearing on Ordinance 12-10 – Amending Chapter 365, Streets and Sidewalks; Ordinance 12-11 – Amending Chapter 180, Municipal Fees; and Ordinance 12-12 – Amending Chapter 7, Building Inspection Department**

Mayor Price opened the Public Hearing for Ordinance 12-10.

A MOTION was made Porter, seconded by Council Member Lahman, to suspend the entire read of Ordinance 12-10. The MOTION passed unanimously.

Jason Dean stated that the ordinance was not posted. Mayor Price stated that the agenda was posted. The Clerk of Council stated that ordinances are always available in City Hall.

#### **Second Reading of Ordinance 12-10 – Amending Chapter 365, Streets and Sidewalks**

Council Member Minner stated that § 365-21 still says fine rather than penalty. The City Solicitor stated that he does not have a problem with it. The City Manager stated that it is a different context than what was previously discussed.

A MOTION was made by Council Member Porter, seconded by Council Member Lahman, to adopt Ordinance 12-10 as presented. Roll was called: 5 Yes, 1 No (Bivans – No, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed.

**Second Reading of Ordinance 12-11 – Amending Chapter 180, Municipal Fees**

The City Manager stated that the quarterly trash fee was raised to cover the fall cleanup, imposes an administrative fee for weed growth violations, and adds a \$25 minimum for the 10% administrative fee for the abatement of streets and sidewalks violations.

Mayor Price opened the Public Hearing on Ordinance 12-11 and Ordinance 12-12. There were no comments on either ordinance. Mayor Price closed the Public Hearing on Ordinance 12-11 and Ordinance 12-12.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to adopt Ordinance 12-11 as presented. Roll was called: 4 Yes, 2 No (Bivans – No, Coleman – Yes, Lahman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed.

**Second Reading of Ordinance 12-12 – Amending Chapter 7, Building Inspection Department**

The City Manager stated that this ordinance changes the Building Inspection Department to the Planning and Inspections Department for accounting reasons to be more transparent.

A MOTION was made by Council Member Porter, seconded by Council Member Lahman, to adopt Ordinance 12-12 as presented. Roll was called: 5 Yes, 0 No, 1 Abstain (Bivans – Abstain, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed. Council Member Bivans stated that he abstained because he believed this issue should be a resolution and not an ordinance.

**Approval of Police Department Contract**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to lift the Approval of Police Department Contract from the table. The MOTION passed unanimously.

The City Manager stated that the point of discussion was regarding the health insurance. From the research, in 2010 the change was made so that the employee would pay 60% and the City 40% of health insurance premiums. In 2011 the insurance went up but no raises were given, so the City agreed to supplement the insurance cost. That caused inequities in benefits to employees, with people paying different percentages from 38% to 46%. The City Manager suggested that in order to be more equitable, the City can pay 60% and the employee 40%. The additional cost for the City would be approximately \$8,700, and the budget would not need to be

revised for that small of an amount. The insurance is going up by about 10%. The health insurance should begin to be examined in January or February for the next fiscal year, because it is a disservice for the employees to not give them time to examine the insurance. Next year the HSA plan has to be changed by law.

A MOTION was made by Council Member Lahman, seconded by Council Member Porter, to approve the amended Police Contract and present it to the police officers for approval. Roll was called: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

### **Approval of Fire Department Agreement**

Mayor Price stated that the Council has already approved the Fire Department Agreement, so this is just an update. The City Manager stated that the Fire Department has also signed the agreement.

## **New Business**

### **DFIT change in agent**

The City Manager stated that the City agreed to participate in the Delaware Founders Insurance Trust. We band together with other local communities to give us buying power for some types of insurance to lower costs. Our agent Terry DeSanto is changing firms to Strategic Insurance Services. The City Manager asked for approval to sign with the new firm and stay with the DFIT program.

A MOTION was made by Council Member Porter, seconded by Council Member Lahman, to approve the change in broker for DFIT. Roll was called: 5 Yes, 0 No, 1 Abstain (Bivans – Yes, Coleman – Yes, Lahman – Yes, Minner – Abstain, Porter – Yes, Stubbs – Yes). The MOTION passed. Council Member Minner stated that she abstained because she is not familiar with the program.

### **Appointment of Vice Mayor, Committees, and Commissions**

Mayor Price stated that he would like to appoint Council Member Lahman as Vice Mayor.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the appointment of Council Member Lahman as Vice Mayor. The MOTION passed unanimously.

Mayor Price stated that the Council Members would be on the committees as follows:

Personnel: Stubbs, Chairman; Coleman; Bivans  
Budget and Finance: Lahman, Chairman; Stubbs; Porter  
Charter/Ordinance Review: Porter, Chairman; Lahman; Coleman  
Comprehensive Plan: Stubbs, Chairman; Porter; Minner

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the committee appointments as presented. The MOTION passed unanimously.

Mayor Price stated that there are no changes to the Library Board of Trustees or Parks and Recreation Board of Trustees. He would like to appoint Jack Stewart and Dan McLaughlin to the Planning and Zoning Commission and Andrea Miller to the Harrington Parks and Recreation Advisory Committee. The term of Reverend Benson has expired on the Board of Adjustment, and there are no new appointments. There are no new appointments to the Downtown Revitalization Committee. Louisa Howard does not wish to be reappointed to the Election Board.

Mayor Price stated that we still need one more person on the Board of Adjustment and one more person on the Planning and Zoning Commission.

A MOTION was made by Council Member Lahman, seconded by Council Member Stubbs, to accept the commission and board appointments as presented. Roll was called: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Lahman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

### **Public Comments**

Jason Dean stated that packets, minutes, and agendas have only been posted sporadically.

### **Executive Session**

There was no Executive Session.

There being no further business, a MOTION was made by Council Member Porter, seconded by Council Member Lahman, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned.

Respectfully Submitted,

Kelly Blanchies  
Clerk of Council