

City of Harrington
MINUTES
City Council Meeting
July 2, 2012

Public Comments

Judy Diogo stated that she would still like to arrange a meeting between the City, local businesses, and the Central Delaware Chamber of Commerce to write a sign ordinance.

Tom Englehart asked how long before an election political signs can be displayed and stated that Harrington Parks and Recreation should be allowed to display the signs from their sponsors.

Bob Scott stated that the sign ordinance was tabled and should remain so.

Jason Dean stated that the sign ordinance was tabled until a meeting with the Central Delaware Chamber of Commerce was held and that has not happened yet. He stated that he could have a City of Dover Councilperson help with the ordinance since much of Harrington's ordinance is based on Dover's.

Fred Wilson stated that there should be consistency with signs.

There being no further comments, Mayor Price closed the Public Comments segment.

A meeting of the Harrington City Council was held on July 2, 2012 and was attended by the following: Mayor Robert E. Price, Jr.; Vice Mayor Cheryl Lahman; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Amy Minner; Council Member Wayne Porter; Council Member Kenneth Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also present: Tom Carroll, Code Enforcement Officer; Jason Dean; Chris Scott; Bob Scott; Judy Diogo, Central Delaware Chamber of Commerce; Tom Englehart; and Fred Wilson.

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

Minutes

June 4, 2012 City Council Meeting

Council Member Bivans asked how many members were required on the Board of Adjustment. The City Solicitor stated that it must be an odd number. Mayor Price replied five.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Bivans, to accept the June 4, 2012 City Council Meeting Minutes as presented. The MOTION passed unanimously.

June 13, 2012 City Council Workshop

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the June 13, 2012 City Council Workshop Minutes as presented. The MOTION passed unanimously.

June 18, 2012 City Council Meeting

Council Member Bivans stated that the ramp that was part of the Downtown Streetscape project has been replaced. He stated that Milby Street still has to be paved.

Council Member Minner confirmed that her motion was to table the sign ordinance until a meeting with the Central Delaware Chamber of Commerce was held.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept the June 18, 2012 City Council Meeting Minutes as presented. The MOTION passed unanimously.

Old Business

Public Hearing on Ordinance 12-14 – Amending Chapter 440, Zoning, relating to Commissioner attendance

There was no one in attendance to speak on Ordinance 12-14.

Mayor Price closed the Public Hearing.

Second Reading of Ordinance 12-14 – Amending Chapter 440, Zoning, relating to Commissioner attendance

The Clerk of Council stated that Section 3 should be removed from the ordinance, because it is not necessary.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to adopt Ordinance 12-14 as amended with the removal of Section 3. Roll was called: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

First Reading of Ordinance 12-15 – Amending Chapter 440, Zoning, relating to signs

Vice Mayor Lahman stated that she misunderstood the context behind Ordinance 12-15 when she seconded the motion to table it at the last meeting.

The City Manager stated that after the Comprehensive Plan is approved, districts can be established and signage regulations evaluated for each district. The proposed ordinance relates to signs in all districts and addresses specific issues that have arisen and clarifies existing signage regulations.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to lift the First Reading of Ordinance 12-15 from the table. Roll was called: 4 Yes, 2 No (Lahman – Yes, Bivans – No, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed.

Council Member Bivans stated that the last motion is not the appropriate way to allow Ordinance 12-15 to be discussed again. The City Solicitor stated that it is appropriate. He suggested a motion to reconsider the motion to table Ordinance 12-15.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to reconsider the motion from the June 18, 2012 City Council Meeting to table Ordinance 12-15 until a meeting is held with the Central Delaware Chamber of Commerce. Roll was called: 4 Yes, 2 No (Lahman – Yes, Bivans – No, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed.

The MOTION from the June 18, 2012 City Council Meeting to table Ordinance 12-15 until a meeting is held with the Central Delaware Chamber of Commerce was voted on again. Roll was called: 2 Yes, 4 No (Lahman – No, Bivans – Yes, Coleman – No, Minner – Yes, Porter – No, Stubbs – No). The MOTION failed.

The City Manager read through the revised ordinance. She stated that most items are from the new Dover sign ordinance.

Vice Mayor Lahman stated that there is a deadline to remove political signs after an election and asked if there is a limit to how soon before an election they can be displayed. The City Solicitor stated that he is apprehensive to inhibit the political process by establishing such a limit. The City Manager stated that it should be at least four months before an election.

Council Member Bivans stated that when he has seen people wearing costumes to advertise a business, they are by the road. The City Solicitor stated that would be considered on premises and allowed.

Council Member Minner stated that there should be an exception for U.S. Flags. The City Manager stated that the Ordinance can be changed to specify decorative or open flags.

Vice Mayor Lahman asked about roof signs for buildings with flat roofs, like those downtown. The Code Enforcement Officer stated that those buildings have space for wall mounted signs and would be ineligible for roof signs.

The Code Enforcement Officer stated that Harrington Parks and Recreation had to remove their sponsor signs from their fence because they do not conform to the current code, but he would like to find some way for them to support their sponsors. The City Manager stated that the proposed ordinance would allow Harrington Parks and Recreation to display the sponsor's signs for up to 30 consecutive days at a time for a total of 90 days a year.

Council Member Bivans stated that a waiver or grandfather clause should be considered, especially for Harrington Parks and Recreation. Vice Mayor Lahman stated that sponsorships of community events should be exempt. The Code Enforcement Officer stated that the rules have to be enforceable.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the First Reading of Ordinance 12-15. Roll was called: 4 Yes, 1 No, 1 Abstain (Lahman – Yes, Bivans – Abstain, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed. Council Member Bivans stated that he abstained because a meeting had not been held with local businesses.

New Business

There was no New Business.

Executive Session

There was no Executive Session.

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

Respectfully Submitted,

Kelly Blanchies
Clerk of Council

Note: Minutes typed from notes. No recording available.