

City of Harrington
MINUTES
City Council Meeting
September 4, 2012

Public Comments

Todd Collison asked if there a plan for fixing sidewalks. The City Manager stated that the sidewalks on Mispillion Street were recently completed. The City did not receive funds through the Community Development Block Grant for next year. The Metropolitan Planning Organization for Kent County made some recommendations regarding sidewalk connectivity that is being included in the Comprehensive Plan. That will help to get other sources of funding.

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

A meeting of the Harrington City Council was held on September 4, 2012 and was attended by the following: Mayor Robert E. Price, Jr.; Vice Mayor Cheryl Lahman; Council Member Duane E. Bivans; Council Member Amy Minner; Council Member Wayne Porter; Council Member Kenneth Stubbs; Keith Shyers, Deputy Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also present: Tom Wilkes, Remington, Vernick, and Beach; Gerry Bloodsworth; and Todd Collison.

Council Member Fonda Coleman was absent.

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

Minutes

August 15, 2012 City Council Workshop

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to accept the August 15, 2012 City Council Workshop Minutes as presented. The MOTION passed unanimously.

August 20, 2012 City Council Meeting

Council Member Stubbs asked how much help Rio Supply was supposed to provide for water meter installation. The City Manager stated that she will check and that there are less than ninety meters left to install.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the August 20, 2012 City Council Meeting Minutes as presented. The MOTION passed unanimously.

Old Business

Second Reading of Ordinance 12-13 – Amending Chapter 330, Sewers, relating to fats, oils, and grease interceptors and traps

Mayor Price stated that there was a first reading on July 16, 2012 and a Public Hearing on August 6, 2012 for Ordinance 12-13.

Council Member Porter asked what was changed on the ordinance. The City Manager stated that there were a few minor changes based on the letter outlining recommended changes from Tom Wilkes from Remington, Vernick, and Beach. Things like changing Chapter to Article. The City Solicitor stated that it makes it clear that the penalties only apply to the FOG section.

Council Member Minner stated that this ordinance was tabled until the City meet with the Delaware State Fair. The City Manager stated that she, along with the City Solicitor and Mr. Wilkes, did meet with them.

Council Member Stubbs asked if this ordinance changes what the County had. The City Manager stated that it makes the City able to conduct more frequent inspections and provides penalties. The existing Code allows for sampling to ensure compliance with discharge limits, which is what is being done at the fairgrounds. The Fair is in violation of grease levels based on the last reading, which was taken at the location and time requested by the Fair.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to lift Ordinance 12-13 from the table because the City Manager met with the Delaware State Fair about Ordinance 12-13 on August 20, 2012. The MOTION passed unanimously.

Council Member Porter would like a list of the restaurants whose grease traps are being inspected.

Council Member Bivans asked what happened at the meeting with the Fair. The City Manager stated that the Fair wanted testing done closer to where the wastewater entered the City's system. The City and Mr. Wilkes

agreed. The Fair still exceeded the acceptable grease limits at the new location and will be fined. Mr. Wilkes stated that the samples were being pulled from an area inside the track, which is an interceptor manhole; a more accurate location is a manhole close to where the effluent enters the City's conveyance system.

Council Member Bivans stated that the Ordinance says that the City can look at all interceptors and traps. Mr. Wilkes stated that the Ordinance allows the City to inspect any business to ensure they are following the proper permit procedures and system maintenance. The business passing or failing a test has no bearing on the City's ability to inspect.

The City Manager stated that the Public Works Supervisor has found that some businesses have all their paperwork in order and others do not. The first few months of inspections will be educational, and not punitive, to let businesses know what is expected. If problems are not corrected and are repetitive, then fines can be used.

Mr. Wilkes stated that the current Chapter 330 is for all users of the system; the Ordinance 12-13 is only for those with grease traps.

Council Member Porter asked about yellow grease. The City Manager stated that it is used in fry vats, private companies remove it and recycle it.

A MOTION was made by Council Member Stubbs, seconded by Council Member Porter, to adopt Ordinance 12-13 as presented. Roll was called: 5 Yes, 0 No, 1 Absent (Lahman – Yes, Bivans – Yes, Coleman – Absent, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

Appointment to Board of Adjustment

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to lift the appointment to the Board of Adjustment from the table. The MOTION passed unanimously.

Vice Mayor Lahman stated that the City should accept any qualified volunteers to boards.

Mayor Price stated that he would like to appoint Walter Perdue to the Board of Adjustment. He is an active member of the American Legion.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the appointment of Walter Perdue to the Board of Adjustment. Roll was called: 5 Yes, 0 No, 1 Absent (Lahman – Yes,

Bivans – Yes, Coleman – Absent, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

New Business

Clarification on salary increases

The City Manager stated that during the budget process it was understood but not clearly stated that salary increases would be given to everyone in the City unless the employee was here less than a year. In that case, it would be given on the anniversary date.

Council Member Porter asked if that was what was done in the past. The City Manager stated that it was discussed at a meeting for the previous budget year.

Council Member Porter asked how a pay scale would affect this issue. Mayor Price said it would not; a pay scale is just what a person starts out at. Council Member Porter stated that pay scales are needed.

A MOTION was made by Council Member Minner, seconded by Vice Mayor Lahman, that employees that have worked for the City for less than a year will receive their raise on the employee's first anniversary date. The MOTION passed unanimously.

Family Day proclamation

Mayor Price read the Proclamation.

Council Member Minner asked if there was any money in the budget to hold an event for Family Day. Mayor Price stated that it is an awareness issue to let people know how important it is to eat with their family.

Council Member Bivans asked why Family Day is on a Monday rather than the weekend. Mayor Price stated that the date is established by the National Center on Addiction and Substance Abuse at Columbia University. The Clerk of Council stated that it is the fourth Monday of September every year nationwide.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to accept the Family Day proclamation as presented. The MOTION passed unanimously.

Change of meeting date from September 17, 2012 to September 18, 2012 for Bobby Quillen Memorial Race

Mayor Price stated that for several years the date for the second meeting in September has been changed so that the Council can attend the Bobby Quillen Memorial Race. Vice Mayor Lahman stated that Bobby Quillen was the City's Representative.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to change the date of the September 17, 2012 City Council Meeting to September 18, 2012. The MOTION passed unanimously.

Schedule of City Council meetings and workshops

The City Manager stated that Council Member Porter requested to have the City Solicitor present at all workshops where ordinances will be discussed. The City Solicitor is not always available on Wednesdays. The City Solicitor stated that when he became the City Solicitor, the first Monday of the month was a workshop, and the third Monday was a Council meeting. The Council got to the point where it was busy enough for a second meeting, but things have slowed down. To conserve money and staff energy, the first meeting of the month can be cancelled.

Vice Mayor Lahman asked if a workshop could be held before a meeting. The City Solicitor stated that yes it could. The City Manager stated that if workshops are held on the first Monday of the month, a special meeting can be held after it when needed.

The City Manager stated that in June the organizational meeting is the first meeting of the month but can be worked around. It would save time and money to meet only two nights a month.

Council Member Bivans asked about notification if a workshop is held then, depending on the outcome of the workshop, a meeting the same night. The City Solicitor stated that the topics are known at least a week in advance, because they have to be posted on the agenda. If there is a feeling that there will be a need to have a Council meeting following that, it would be posted at the same time. The City Manager stated that if an ordinance is being discussed at a workshop, it would not appear on a Council meeting agenda until the third Monday of the month, not the same night.

Council Member Porter stated that any time the Council meets, the City Solicitor should be in attendance.

The Clerk of Council stated that the Code has a Council Meeting Chapter that states that Council meetings will be the first and third of the month, so an ordinance is required to cancel the first meeting. The City Solicitor stated that the concept can be discussed, and if the Council is interested in pursuing it, than an ordinance can be drafted. Mayor Price stated that an ordinance should be put together and brought before Council.

Draft Comprehensive Plan introduction

The City Solicitor stated that this is not ready and will be put back on the agenda when it is.

Executive Session

There was no Executive Session.

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

Respectfully Submitted,

Kelly Blanchies
Clerk of Council