

**City of Harrington**  
**MINUTES**  
**City Council Meeting**  
**April 15, 2013**

**Public Comments**

There were no Public Comments.

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A meeting of the Harrington City Council was held on April 15, 2013 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; Faye Smith, Finance Director; and Kelly Blanchies, Clerk of Council.

Also present: Tom Wilkes, Remington, Vernick, & Beach; Bill Andrew; and Shelly Cecchett.

Mayor Price called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given.

Mayor Price stated that he would like to move the City Council Comments and Resolution 13-R-07 to the beginning of the meeting.

The City Solicitor stated that he found a newspaper from July 23, 1960 about the City of Harrington and would like to present it to the City.

**City Council Comments**

Vice Mayor Lahman stated that she has a copy of an email that refers to winning the election and cleaning house. City employees have been urged not to enter into any politics in the City for years. Employees should not be drug into the election either. It is inappropriate for any candidate to say that employees will lose their jobs. Vice Mayor Lahman stated that she would like assure the employees that is not how she feels it should be done.

Council Member Bivans asked if the letter references something against the City employees. Vice Mayor Lahman stated one employee in particular who received the email while on vacation.

Vice Mayor Lahman stated then when she first ran as a candidate, her husband was told not to get involved, which is good advice. The employees have to work for whoever is elected. The City Manager stated that we are a nonpolitical entity and have a job to do no matter whom is elected. Vice Mayor Lahman stated that the employees have been very upset over the email. The City Manager stated that employees have been approached in the library and grocery store about it and asked if their jobs are safe. It has been a stressful election for the employees. Council Member Stubbs stated that two employees have said the same thing to him. Vice Mayor Lahman stated that she thinks as long as someone is doing their job then they should not lose their job. Mayor Price stated that he feels the same way.

**Resolution 13-R-07 – In support of the Greater Kent Committee, the Kent County Economic Roundtable, and Kent County Economic Development Projects 2013**

The City Manager stated that Bill Andrew and Shelly Cecchett are here to make a presentation from the Greater Kent Committee. The City Manager stated that she has been working with the Economic Development Roundtable to bring forward projects for Harrington, Smyrna, Dover, Milford, and Kent County to the State legislatures. It is a opportunity for Kent County to show that we are a cohesive group and that infrastructure improvements are important to the economic vitality of Kent County. All of the towns have worked very hard.

Bill Andrews stated that Kent County was lagging behind in jobs and economic development because the other counties were receiving all the resources and seemed to have a more coordinated effort. The Greater Kent Committee is a group of the top one hundred business leaders within the County. There were economic development leaders that were working on similar projects but not communicating and supporting each other. By speaking with one voice and engaging the legislatures to support our projects, there is a better chance to receive funding. The City Manager has been very active and helpful in the group. The resolution tonight is just to say that the City of Harrington is in support of this concept and will back all of the projects.

Mr. Andrews showed a video on the Economic Roundtable and proposed projects.

Mr. Andrews stated that the next step is to seek a resolution of support from each community then they will be taken to the legislatures to seek bipartisan support. The Governor has noted that Kent County has been working together. There will be brochures available for any groups interested in the projects.

Shelly Cecchett stated that it has been exciting for the groups to brainstorm and to have everyone talking and realizing the opportunities available.

Mayor Price stated that the combined effort will be great and asked if there would be a priority list of programs. Mr. Andrews stated that he hopes it will evolve; there were five projects chosen to begin. The goal is to raise Kent County as a whole. Ms. Cecchett stated that there are different pots of money to explore and are being shared. The City Manager stated that the City tried to go to its representatives but does not have a lot of pull because of its size. Together the communities will have more influence. Mr. Andrews stated that together we are better.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to adopt Resolution 13-R-07. Roll was called: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

## **Minutes**

### **March 18, 2013 City Council Meeting**

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stubbs, to accept the March 18, 2013 City Council Meeting Minutes as presented. The MOTION passed unanimously.

### **April 1, 2013 City Council Workshop**

The City Manager stated that a meeting was held with Messick's Mobile Home Park, and the City has to make application to the Office of Drinking Water and the USDA for grants and loans. The City Solicitor will draw up a contract so that the City does not have to bear any expense for any debt service, and Messick's would be solely responsible for paying that debt service. This project would bring Messick's up to standards and into the City's water system and abandon their water system. Seventy-two residents are still under a boil water notice. Messick's would also be responsible for any engineering costs. The City Solicitor stated that if they do have to pay anything then it will be spread out over thirty or forty years. Vice Mayor Lahman stated that it has to be done.

Council Member Minner asked what would happen if Messick's does not pay. The City Solicitor stated that the City would take collection actions. The City Manager stated that the property could be liened. The service will be to one meter for the whole park.

The City Solicitor stated that this should have been done when the property was annexed in the 1990s, but the situation has to be dealt with now. Vice Mayor Lahman stated that it is a lot of money, but it is a safety issue.

A MOTION was made by Council Member Stubbs, seconded by Vice Mayor Lahman, to accept the April 1, 2013 City Council Workshop Minutes as presented. The MOTION passed unanimously.

### **April 1, 2013 City Council Special Meeting**

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stubbs, to accept the April 1, 2013 City Council Special Meeting Minutes as presented. The MOTION passed unanimously.

### **Police Chief's Report**

The Chief of Police stated that the electric to the gazebo should be done this week. Mayor Price stated that the area has been cleaned up.

Council Member Porter stated that constituents are still asking candidates about a curfew and asked the Chief of Police to include why it cannot be done in his next article. The City has looked into it.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept the Police Chief's Report as presented. The MOTION passed unanimously.

### **City Manager's Report**

Council Member Porter thanked the City Manager for tearing down the mission at 45 Clark Street. The City Manager stated that the object of buying the building was to put it back on the tax rolls and start collecting taxes on it. The City has agreed on a contract for two hundred dollars (\$200) to assess the property. It can then be offered to surrounding property owners and put up for sale. The money that was invested to make it safe can be repaid. There have been positive reactions from the community.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to accept the City Manager's Report as presented. The MOTION passed unanimously.

### **Financial Report**

Council Member Stubbs asked the City Manager to explain the rumor he heard about there being six hundred thousand dollars (\$600,000) in profits from the water and sewer. The City Manager stated that the City does transfer money from the water and sewer fund to the general fund. Even with that money, it was necessary to take approximately fifty thousand dollars (\$50,000) from the carry forward balance to balance the budget. The employees that handle the billing and accounts for water and sewer are paid out of the general fund. If thirty

percent of the work done by those employees is in the general fund and thirty-five percent each in water and sewer, that amounts to over four hundred thousand dollars (\$400,000) of work. Commercial insurance, workers' comp, and other insurances are also paid out of the general fund. The auditors try to spread that out with account adjustments; we are going to try to do the budget that way this year to be better accountable. If the money is not transferred to the general fund then it has to be made from somewhere and could mean a tax increase.

Council Member Porter stated that he is hearing that there is an excess of water fund money that is being hoarded away. The City Manager stated that the money is being used to pay for services that employees are doing for the water and sewer fund that are not charged. Council Member Porter asked the City Manager to explain that in her next City Manager's Message.

Mayor Price stated that the Council inherited a way of doing business and has worked over the years to show more clearly the proprietary fund expenses. The City Solicitor stated that the transfer between funds is not unique to Harrington. At the County, a portion of the County Administrator's salary is paid by the sewer fund in recognition that certain aspects of his job deal with the sewer. The City Manager stated that much of the time of City Hall, Public Works, and the City Council is spent on water and wastewater work.

Vice Mayor Lahman asked the City Manager to address how close the City is to billing based on water usage. The City Manager stated that right now data is being collected before rates are developed. All of the residential meters are installed, and there are about fifty two inch meters left to be installed. The City Manager stated that she instructed the Public Works Supervisor to correct all the meter pit problems. Council Member Porter stated that the Council understands the problems and situations, but the public needs to be informed. The City Manager stated that small problems need to be corrected as the City grows in order to be manageable.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to file the Financial Report for audit. The MOTION passed unanimously.

## **Departmental Reports**

### **Public Works**

The City Manager stated that there are fifty-four two inch meters left to install; those need extra work. The City is working with Rural Water on the CUPSS program to inventory and evaluate assets.

The City Manager stated that Jerry's Paving will be doing a thin application on the streets and is waiting for better quality asphalt and has

to wait for warmer temperatures. Paving should be complete by the end of the month.

Mayor Price asked about the project to get the length and width of each street. The City Manager stated that is for a priority list and Municipal Street Aid. A streets program would track what streets need paving, seal coating, and crack sealing to maintain and prolong streets. Council Member Stubbs stated that infrastructure needs to be fixed before paving.

### **Library**

There were no questions.

### **Parks and Recreation**

Council Member Porter stated that the front of the building looks nice. Vice Mayor Lahman stated that she would still like the fence removed. The City Manager stated that a new fence could be looked explored.

### **Fire and Ambulance**

There were no questions.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stubbs, to accept the Departmental Reports as presented. The MOTION passed unanimously.

### **City Planner's Report**

Vice Mayor Lahman asked if the Comprehensive Plan has been submitted. The City Manager stated that it was submitted to the State at the end of March.

Council Member Porter asked if the City is holding up any of the planning projects. The City Manager replied no. The Legacy plans have been sent back for architectural elevations as the City's Code requires.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to accept the City Planner's report as presented. The MOTION passed unanimously.

### **City Engineer's Report**

The City Manager stated that the remediation plan for Browns Branch has been accepted by DNREC, and they are now asking for the lagoon closure plan.

Council Member Porter asked if any sidewalks are being replaced on Dickerson Street. Mr. Wilkes stated that some of the curbing is in bad shape and sidewalks warped. It is going out to bid soon. The City Manager stated that there is Municipal Street Aid funds available and a couple of streets may be added to the bid. Mr. Wilkes stated that the work would be done this year.

A MOTION was made by Council Member Minner, seconded by Vice Mayor Lahman, to accept the City Engineer's report as presented. The MOTION passed unanimously.

## **Old Business**

### **Approval of lagoon closure plan**

The City Manager stated that the recommended closure plan is the less costly one that leaves the sludge in place. Mr. Wilkes stated that an environmental sampling plan is now included. Testing in the area revealed limited impacts and a better idea of remediation costs.

Vice Mayor Lahman asked about the funding sources. The City Manager stated that can be discussed with the budget. Vice Mayor Lahman asked if the project could be paid for over years. Mr. Wilkes stated that it could be, but from a construction standpoint, it would be better to get the project done at one time. The City Manager stated that there will be some money left from the force main project, and there is money in the sewer escrow account.

Mayor Price asked if a letter of intent would have to be submitted to the USDA to use the force main money. Mr. Wilkes stated no because it is a related project.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to approve the lagoon closure plan as presented. Roll was called: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

## **New Business**

### **Resolution 13-R-05 – Adopts a list of other debts owed to the City of Harrington to be added to tax bills and setting forth the procedure for appeals**

The City Solicitor stated that this is a housekeeping matter. It is how debts are added to the tax bills; there is an option for an appeal. It enhances the City's ability to collect debts.

Council Member Minner asked if the list of debts is published in the newspaper. The Clerk of Council stated that only the notice is published in the newspaper.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to adopt Resolution 13-R-05. Roll was called: 5 Yes, 1 No (Lahman – Yes, Bivans – No, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed by majority.

### **Resolution 13-R-06 – Adopts the official map fo the City of Harrington**

The City Manager stated that the Charter requires a map displaying the boundaries of the City be filed with the Recorder of Deeds Office, No such map is filed. Every time there is an annexation, a new map will need to be recorded.

The City Solicitor stated that this is a cost saving matter because there used to be a metes and bounds description in the Charter. When an annexation occurred, the Charter would have to be changed and the metes and bounds described.

The City Manager stated that Harrington is not the only city to have the requirement in the Charter but not have a map filed.

A MOTION was made by Council Member Stubbs, seconded by Council Member Minner, to adopt Resolution 13-R-06. Roll was called: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

### **Appointment of Election Board and workers**

Mayor Price stated that would like to appoint Kristen Gillespie as an election worker. Someone is still needed to serve on the Election Board. Mayor Price asked if the Clerk of Council can swear in the Election Board Member. The City Solicitor stated that a notary can administer the oath.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to approve the appointment of Kristen Gillespie as Clerk. The MOTION passed unanimously.

Mayor Price asked that if anyone had someone willing to serve on the Election Board to let him know.

## **Downtown Streetscapes Phase II**

The City Manager stated that this is the second phase of the Downtown Streetscapes project. Harrington's match would be fifty thousand dollars (\$50,000), and the total cost of the project is estimated to be four hundred twenty thousand dollars (\$420,000). The City's match can come from Municipal Street Aid or Community Transportation Funds, and probably would not be payable until 2015. Mayor Price asked if in-kind can be used toward the match. Mr. Wilkes stated that he doubted it because they usually require prevailing wage rates and certified payroll.

Council Member Porter asked if the City has the matching funds available. The City Manager replied that Municipal Street Aid has about one hundred eighty thousand dollars (\$180,000) in the account.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to approve the Downtown Streetscapes Phase II project. Roll was called: 4 Yes, 2 No (Lahman – Yes, Bivans – No, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed by majority.

## **Executive Session**

There was no Executive Session.

There being no further business, a MOTION was made by Council Member Minner, seconded by Council Member Stubbs, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 8:07 pm.

Respectfully Submitted,

Kelly Blanchies  
Clerk of Council