

**City of Harrington**  
**MINUTES**  
**City Council Meeting**  
**August 18, 2014**

**Public Comments**

Gina Kratsas stated that J.D. Signs submitted an application for a building permit for a sign for her business, and it is taking too long to approve.

Barbara Bullock stated that the City is assuming that the people in town want a library.

Joseph Collison stated that the trees need to be trimmed in an alley and that there is still a problem with cats.

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A meeting of the Harrington City Council was held at Harrington City Hall, 106 Dorman Street, on August 18, 2014 and was attended by the following: Mayor Anthony R. Moyer; Vice Mayor Cheryl J. Lahman; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Amy L. Minner; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; Dean Gary, Accountant; and Kelly Blanchies, Clerk of Council.

Also present: Tom Wilkes, Remington, Vernick, and Beach, City Engineer; Christine Hayward, Library Director; Charles Carr; Barbara Bullock; Brad Hastings, Becker Morgan Group; Arden Bardol, Becker Morgan Group; Gina Kratsas; Mary Trice; Marie Cunningham; and Joseph Collison.

Mayor Moyer called the meeting to order at 7:08 p.m.

The Invocation was given by the City Solicitor.

The Pledge of Allegiance was given.

Roll was called.

**Consent Agenda**

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to approve the consent agenda.

Council Member Bivans asked that the Parks and Recreation Departmental Report be removed from the consent agenda.

Roll was called on the motion to approve the consent agenda: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

## **Minutes**

### **July 7, 2014 City Council Workshop**

Approved with the consent agenda.

### **July 28, 2014 City Council Special Meeting**

Approved with the consent agenda.

## **Police Chief's Report**

Approved with the consent agenda.

## **City Manager's Report**

Approved with the consent agenda.

## **Financial Report**

Approved with the consent agenda.

## **Departmental Reports**

### **Public Works**

Approved with the consent agenda.

### **Library**

Approved with the consent agenda.

### **Parks and Recreation**

Council Member Bivans stated that he would like to make sure that the public is aware that Heritage Day is on Saturday.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to approve the Parks and Recreation report as presented. The MOTION passed unanimously.

### **Fire and Ambulance**

Approved with the consent agenda.

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

Approved with the consent agenda.

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

Approved with the consent agenda.

### **Old Business**

#### **Public Hearing on Ordinance 14-13 – Amending Chapter 180, Municipal Fees, relating to water meter and irrigation meter fees**

The City Manager stated that this is a housekeeping item. Mayor Moyer asked if anyone has requested an agricultural meter yet. The City Manager replied no.

Mayor Moyer asked if a pool could be filled with the irrigation meter. The City Manager replied yes. Mayor Moyer stated that an irrigation meter negates the sewer fees.

There were no comments from the public.

#### **Second Reading of Ordinance 14-13 – Amending Chapter 180, Municipal Fees, relating to water meter and irrigation meter fees**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to suspend the reading of Ordinance 14-13. The MOTION passed unanimously.

Mayor Moyer read the synopsis:

This Ordinance amends the Municipal Fees for the City of Harrington to clarify that water meters and water meter pits and lids will be paid for at cost and adding a permit fee for irrigation water meters.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to adopt Ordinance 14-13. The MOTION passed unanimously.

**Quadrant I inflow and infiltration remediation project (approval of project scope and bid documents)**

The City Manager stated that the document was provided to the City Council at the last meeting, and the City Engineer is here to answer any questions. It will go out as a paper bid.

The City Manager stated that the City is applying to the USDA for a grant and loan package and asked the City Engineer if the bids have to wait until the application is approved. The City Engineer stated that the City will not be reimbursed for any money spent before approval.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stubbs, to approve the bid documents and release them as soon as the proposal from the USDA is received.

Council Member Bivans asked for clarification on the motion. The City Manager stated that if the City bids the project before the USDA awards the loan/grant package then that expenditure cannot be an expense of that grant.

Roll was called on the motion to approve the bid documents and release them as soon as the proposal from the USDA is received: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

**New Business**

**Change date for September meeting because of Quillen Race**

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to move the September 15, 2014 City Council Meeting to September 16, 2014. The MOTION passed unanimously.

**Next steps for Library building**

Council Member Porter stated that the City is fact finding right now. Vice Mayor Lahman stated that it was determined that the City either needs to get a new Library or close the library that we have.

The City Manager stated that that the State has given the City two hundred fifty thousand dollars (\$250,000) toward the Library. The City is taking steps to look for land for the Library. The current Library has structural issues. The City Manager stated that the City is making small steps forward and that she needs direction at this point.

The City Manager stated that half of the cost of the Library is funded by the State of Delaware, the Friends of the Library have raised money, Kent County is contributing money, and the City will be looking for grants in the future. We are trying to have very little impact on the tax payers. The Library is used by other people in the area, not just Harrington residents. The Library is a valuable resource used by the citizens of Harrington.

Vice Mayor Lahman stated that previously the City was much further along in the process of building a new Library.

The City Manager stated that extensive outreach was done for people to attend the meetings about the Library Needs Assessment. Ms. Bullock stated that she does not believe the communication has been adequate. Other towns do not have libraries, and Harrington has a low median income. Vice Mayor Lahman stated that lower income people are most in need of a free library.

Arden Bardol stated that the Needs Assessment started with an assessment of the condition of the current Library; there are life safety issues such as fire sprinklers, egress, electrical, and floor load. There were interviews with staff and different groups. There were focus group meetings for teens, City Council, and the general public which were well attended. There was a town hall meeting with the collected information was presented.

The City Manager stated that she would like Becker Morgan Group selected as the architect for the project.

Brad Hastings stated that once the City decides to proceed, there are schematic design, design development, construction documents, bidding, and construction. The City Manager stated that once the site is selected, then a building is designed to fit on the site. The choices have been narrowed down to four sites with differently shaped land.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to have Becker Morgan Group serve as the architect for the Library project. The MOTION passed unanimously. Council Member Bivans initially abstained stating that he would like more information. The City Manager stated that the City Council would be approving each step in the process. Council Member Bivans changed his vote to a yes.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept the Library Needs Assessment report. The MOTION passed unanimously.

The City Manager thanked Becker Morgan Group for their hard work.

### **Public Works take home vehicles**

Vice Mayor Lahman stated that this should be a matter handled by the City Manager. The City Manager stated that it is a change to the policy.

The City Manager stated that the cost is six thousand three hundred dollars (\$6,300). There is no additional cost to insure the vehicles. The employee would have to pay additional income tax for the use of the City's vehicle for commuting.

Council Member Bivans stated that he does not see why all the Public Works employees need to take home vehicles.

Mayor Moyer stated that the average distance that a Public Works employee lives from the City is four and a half miles. There are more benefits than drawbacks to allowing take home vehicles. Council Member Porter stated that it is a safety issue.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to allow Public Works employees to take home their vehicles.

Council Member Bivans stated that years ago, the City Council stated financial reasons for no longer allowing take home vehicles. Vice Mayor Lahman stated that the previous discussion was because a supervisor lived in Smyrna.

Roll was called on the motion to allow Public Works employees to take home their vehicles: 3 Yes, 2 No, 1 Abstain (Lahman – Abstain, Bivans – No, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed by majority. Vice Mayor Lahman stated that she abstained because her husband is on the Public Works staff.

Mayor Moyer stated that any Public Works employee that does not want to take their work vehicle home does not have to.

### **USDA grants**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to table USDA grants. The MOTION passed unanimously.

### **City Manager authority to settle utility account issues**

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to grant the City Manager authority to settle utility account issues.

Council Member Minner asked why the utility bill for 8 Clark Street came to the City Council. The City Manager replied that she had made a decision and the property owners did not like the decision. Council Member Minner asked if citizens could still appeal to the City Council. The City Manager replied yes. Council Member Bivans stated that was not included in the motion.

Council Member Bivans state that he would like a motion that states the City Council be informed prior to a final decision being made.

Council Member Porter stated that there is an appeal process in place. The City Solicitor stated that the Charter already gives the City Manager authority to resolve disputes about utility billing; the practice of the City Council is to hear any appeal from the City Manager's decision.

Vice Mayor Lahman withdrew her motion.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to reaffirm the City Manager's authority to settle utility account issues.

Council Member Bivans asked why it this issue was being brought up if it is in the Charter. Mayor Moyer stated that it was discussed at a workshop.

A vote was called for on the motion to reaffirm the City Manager's authority to settle utility account issues. The MOTION passed by majority. Council Member Bivans voted against the motion.

#### **Resolution 14-R-05 – Tax Credit for Residents of Friendship Village**

The City Manager stated that there are residents in the single family homes in Friendship Village that are unable to receive certain municipal services such as street lights, street maintenance, and snow removal, because the developer has failed to bring the development's streets up to the standards required for acceptance by the City. This has happened all over the State and Country. Since the subdivision was established in the 1960s, there was no bond placed, so there is no money to finish the streets. This resolution gives a tax credit to the thirteen improved lots in Friendship Village for the amount contributed to the streets budget.

Vice Mayor Lahman stated that it is not that the City does not want to maintain the streets; it is a legal issue. The City Manager stated that the

City has been advised not to do any work to the streets or it will be responsible for paving the streets.

The City Manager stated that the owners in Friendship Village are grateful that the City Council is considering the tax credit.

Vice Mayor Lahman stated that the City did some clean-up work with safety related issues on the empty lots.

A MOTION was made Council Member Porter, seconded by Council Member Coleman, to adopt Resolution 14-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.

### **Public Comments**

Marie Cunningham asked if Public Comments are part of the record of the meeting since they happen before the meetings starts. The logic of saying that it is alright for Public Works employees to take home vehicles, because they only live a short distance away is faulty, because they may move. The library does help those with low incomes.

Ms. Bullock stated that taxes were just raised, and the Library is not a high priority.

The Library Director stated that the monthly library report includes data on how many people use the Library.

### **City Council Comments**

Council Member Porter stated that the City does need to take advantage of the money that the State is offering it and that he misspoke earlier about the Library.

Vice Mayor Lahman stated that most meetings are about sewer and water, but the City has the responsibility to maintain the culture of Harrington too.

Mayor Moyer stated that the City is not obligated to buying land or building a structure yet and has not spent any money yet but is looking at the options.

Council Member Bivans stated that the amount of foot traffic at the Library indicates the need for the Library and asked about a study of how many library patrons are in or out of town.

### **Executive Session**

#### **Personnel matter**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to recess the City Council Meeting for an Executive Session for a personnel matter. The MOTION passed unanimously.

The City Council Meeting recessed at 8:14 p.m.

Mayor Moyer called the City Council Meeting back to order. Those still present: Mayor Anthony R. Moyer; Vice Mayor Cheryl J. Lahman; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Amy L. Minner; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; William Pepper, City Solicitor; and Teresa Tieman, City Manager.

There being no further business, a MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 9:04 p.m.

Respectfully Submitted,

Kelly Blanchies  
Clerk of Council