

**City of Harrington
MINUTES
City Council Meeting
March 2, 2015**

Public Comments

There were no Public Comments.

A meeting of the Harrington City Council was held at Harrington City Hall, 106 Dorman Street, on March 2, 2015 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, City Engineer, Remington, Vernick, and Beach; Sherry Clark; Sarah Clark; Bridgette Trate; Eric Marquis; Andrew Rockwell; Jennifer Antonik; Barbara Bullock; Charles Carr; Leteisha D. Cannon; Gina Kratsas; and Daniella Rollman.

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

The Invocation was given by the City Solicitor.

The Pledge of Allegiance was given.

Roll was called.

Minutes

January 5, 2015 City Council Workshop

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Coleman, to approve the January 5, 2015 City Council Workshop minutes. The MOTION passed unanimously.

January 5, 2015 City Council Special Meeting

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to approve the January 5, 2015 City Council Special Meeting minutes. The MOTION passed unanimously.

January 20, 2015 City Council Meeting

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to approve the January 20, 2015 City Council Meeting minutes. The MOTION passed unanimously.

Financial Report

Council Member Porter requested that the City Council have a meeting on the budget. The City Manager suggested waiting until April for a budget meeting so more information can be gathered.

Council Member Bivans stated that on the financial report there is an allocation for street and alley pothole projects but no expenditure. Council Member Bivans asked about the purchase orders and checks not matching for the cleaning service. The Accountant stated that some of the invoices from December were paid in January.

Council Member Bivans asked if there was a policy about the City purchasing from a business owned by a council member. Council Member Porter stated that the City Council has to approve expenditures over five hundred dollars (\$500) with a council member's business.

Council Member Bivans asked about invoices from Remington, Vernick, and Beach for Harrington Retail Center. The City Manager stated that engineering work was billed back to Harrington Retail Center.

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

Old Business

Public Hearing

Ordinance 14-15 – Adding Chapter 255, Manufactured Home Licenses

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to dispense with the reading of Ordinance 14-15. The MOTION passed unanimously.

There were no comments from the public.

Ordinance 15-01 – Repealing and replacing Chapter 114, Open Burning

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to dispense with the reading of Ordinance 15-01. The MOTION passed unanimously.

There were no comments from the public.

Second Reading of Ordinance 14-15 – Adding Chapter 255, Manufactured Home Licenses

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to dispense with the reading of Ordinance 14-15. The MOTION passed unanimously.

Vice Mayor Lahman asked if all the changes that the City Council had requested had been made. The City Solicitor stated that he believed so.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to adopt Ordinance 14-15. The MOTION passed by majority. Council Member Bivans voted against the motion.

Second Reading of Ordinance 15-01 – Repealing and replacing Chapter 114, Open Burning

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to dispense with the reading of Ordinance 15-01. The MOTION passed unanimously.

Council Member Minner asked if fire pits are allowed under this ordinance. The City Manager replied yes.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to adopt Ordinance 15-01. The MOTION passed unanimously.

New Business

Resolution 15-R-01 – 2015 Municipal Election date, rules, absentee voting, and Election Board

Mayor Moyer read Resolution 15-R-01.

Council Member Bivans asked if the hours of 12:00 p.m. to 7:00 p.m. are good. Mayor Moyer stated that he has not heard anything negative about the hours.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to adopt Ordinance 15-01. The MOTION passed unanimously.

First Reading of Ordinance 15-02 – Repealing and replacing Chapter 102, Building Standards, to adopt the 2012 International Residential and Building Codes

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to dispense with the reading of Ordinance 15-02. The MOTION passed unanimously.

The City Manager suggested making the effective date May 1, 2015.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Coleman, to accept the first reading of Ordinance 15-02.

Council Member Minner asked if contractors had been contacted about the ordinance. The City Manager replied yes.

A vote was called for on the motion to accept the first reading of Ordinance 15-02. The MOTION passed unanimously.

First Reading of Ordinance 15-03 – Amending Chapter 305, Property Maintenance, to adopt the 2012 International Property Maintenance Code

A MOTION was made by Council Member Porter, seconded by Vice Mayor Lahman, to suspend the reading of Ordinance 15-03. The MOTION passed unanimously.

Council Member Minner stated that the effective date on this ordinance should be changed to May 1, 2015 as well.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept the first reading of Ordinance 15-03. The MOTION passed unanimously.

Mayor and Council term limits

Mayor Moyer suggested a limit of two terms for Mayor and three terms for Council Members. Council Member Porter stated that if someone is not doing a good job then they will not be reelected.

Vice Mayor Lahman suggested putting the question on the ballot at the next Mayoral election. The City Solicitor stated legislative referendums are not addressed in the Charter but can be advisory.

Council Member Porter stated that there are pros and cons to term limits.

Council Member Stubbs stated that there may be problems finding people to run for office.

Mayor Moyer asked that the Council Members think about it, and the issue can be discussed at a later time. The details can be worked out later.

Council Member Bivans stated that a poll could be placed on the City's website.

Bid award for Dorman Street Sewer Improvements Project

The City Engineer stated that the Dorman Street sewer line is undersized, and when development is built out, there will be capacity issues. Two bids were received, and Reybold Construction was the low bidder.

The City Manager stated that the project is being paid for from money left over from the force main project and reserve money.

Council Member Porter asked if the background of the company was checked. The City Engineer stated that City Council's approval is contingent upon the contractor meeting all bid requirements. There is a time constraint on spending the USDA funds.

Council Member Minner asked if the work could be done during spring break and if service to the residents would be interrupted. The City Engineer stated that notification door hangers will be placed on residents' doors forty-eight hours in advance of work being done.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to accept the bid of Reybold Construction contingent upon satisfactory references and authorizing the approval of the second lowest bidder if Reybold Construction fails to meet bid requirements including satisfactory references. The MOTION passed unanimously.

Council Member Bivans asked what would happen to the funding if Reybold Construction falls through. The City Manager stated that the USDA grant for two hundred sixty-two thousand dollars (\$262,000) must be used by the end of April and that the work needs to be done no matter the cost.

Bid award for 2014 Inflow and Infiltration Removal Program

The City Manager stated that the USDA has offered the City a grant and loan package. The grant is five hundred eighty thousand dollars (\$580,000), and the loan is to be paid for out of reserve funds.

The City Engineer stated that the project is to correct identified inflow and infiltration (I & I) problems and study the remaining sections of the City. To correct I & I, the pipes would have a camera run through them and problems would be fixed with grouting or lining the pipe. Trenching will not be required unless the pipe is very bad. Manholes will also be fixed.

Mayor Moyer stated that correcting I & I will save the City money on treating sewer.

Council Member Minner asked if service will be interrupted. The City Engineer replied no.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stubbs, to approve the bid from Tri-State Grouting contingent upon the bid requirements being met. The MOTION passed unanimously.

Public Comments

Barbara Bullock stated that if no one files for office then a Mayor or Council Member that has reached their term limit would not be able to file because the filing deadline will have passed. The Charter has provisions about council members receiving financial benefits, like with raises and benefits.

Gina Kratsas asked where the construction would be on Dorman Street. The City Manager replied in front of the school.

City Council Comments

Council Member Porter stated that a letter was received from the Fire Company thanking Public Works for the snow removal work.

Council Member Porter stated that the substance abuse center should have a public hearing. The City Manager stated that there was a predevelopment meeting, but there has not been an official submission to the City. The City Solicitor stated that the Code calls for an administrative review; a public meeting would serve no purpose.

Council Member Porter asked about the conflict of interest provisions. Vice Mayor Lahman asked for clarification from the City Solicitor on Charter § 7.4.3 and stated that issues effecting the employees as a whole can be voted on. The

City Solicitor stated that Vice Mayor Lahman is correct and read a portion of Charter § 7.4.3, Restrictions Related to Personal or Private Interest.

Council Member Bivans asked the City Solicitor to review Charter § 7.4.2.

Mayor Moyer stated that fixing the Dorman Street sewer pipes and correcting I & I are positive steps for the City and will help stabilize sewer bills. The City Manager stated that the Kent County bill has been going down every month. Mayor Moyer stated that the City needs infrastructure to grow.

Executive Session

There was no Executive Session.

There being no further business, a MOTION was made by Council Member Porter, seconded by Council Member Minner, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 8:40 p.m.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council

Note: Minutes typed from notes. Only a partial recording available.