

**City of Harrington
MINUTES
City Council Meeting
June 15, 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 June 15, 2015 and was attended by the following: Mayor Anthony R. Moyer; Vice Mayor Duane E. Bivans; Council Member Fonda Coleman; Council Member Eric Marquis; Council Member Amy Minner; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; Ruth Peterman, Police Resource Manager; 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; Debbie Pfeil, AECOM, City Planner; Richard Messick; Jason Dean; Jennifer Antonik; Andrew Rockwell; Kenny Brode, Harrington Fire Department; and Cheryl Lahman.

Mayor Moyer called the meeting to order at 7:01 p.m.

The Invocation was given by Vice Mayor Bivans.

The Pledge of Allegiance was given.

Roll was called.

Minutes

The Clerk of Council stated that the minutes for the May 27, 2015 City Council Workshop were not ready for approval.

Vice Mayor Bivans asked about the fees for the manufactured housing license in the May 18, 2015 City Council Meeting minutes.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to approve the minutes for the May 11, 2015 City Council Workshop and May 18, 2015 City Council Meeting as presented. The MOTION passed unanimously.

Financial Report

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 15-04 – Amending Chapter 180, Municipal Fees, to add a fine for failing to obtain a rental inspection

[The title on this ordinance is incorrect, and it must be reintroduced for a first reading.]

Ordinance 15-05 – Amending Chapter 180, Municipal Fees, to add fines for violating the Open Burning Chapter, fines for violating the Zoning Chapter, and fees and fines for the Manufactured Home Licenses Chapter

Mayor Moyer read Ordinance 15-05.

Jennifer Antonik asked if a sticker will be issued for the placement and license for manufactured homes. The City Manager replied there is only a sticker for the annual license.

Second Reading of Ordinance 15-04 – Amending Chapter 180, Municipal Fees, to add a fine for failing to obtain a rental inspection

[The title on this ordinance is incorrect, and it must be reintroduced for a first reading.]

Second Reading of Ordinance 15-05 – Amending Chapter 180, Municipal Fees, to add fines for violating the Open Burning Chapter, fines for violating the Zoning Chapter, and fees and fines for the Manufactured Home Licenses Chapter

Vice Mayor Bivans stated that the fines are not equal for the mobile home owner and park owner. The City Solicitor stated that the sticker replaces taxes on the mobile home, and the park operator still pays taxes on the land.

Council Member Minner asked if only the license has to be paid for each year and not the registration fee. The City Manager replies yes.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept Ordinance 15-05. Roll was called: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Marquis – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

Update on railroad station

The City Manager stated that the railroad has said they are waiting for a third bid for the painting of the railroad station. Vice Mayor Bivans stated that this project has been dragging on.

New Business

First Reading of Ordinance 15-06 – Repealing and replacing Chapter 440, Zoning

Mayor Moyer read Ordinance 15-06.

Council Member Marquis stated that future updates should be made immediately and not done on a quarterly basis. Additional signage should be allowed in the C-3 zone. Council Member Marquis suggested adding fifteen percent of wall area on sides of a building with road frontage be allowed for signage. There are many businesses that are not compliant now. The City Manager stated that a business can apply to the Board of Adjustment if they would like additional signage, and the businesses that are not compliant probably have. The City Planner stated that the national chains will apply to the Board of Adjustment no matter what is allowed; the proposed Zoning Code allows for up to a total of one hundred fifty-three square feet and up to three signs. The City Manager stated that allowing for a percentage of wall space becomes a more complicated permitting process. Council Member Minner stated that the necessary information would be provided by the sign company. The City Planner stated that some non-national businesses can be looked at to see how much additional signage would be allowed with that change.

Council Member Minner asked if the square footage of a sign could be determined by the setback from the road. The City Planner stated that the consultants would have to research these new comments.

Council Member Minner asked if the portion of the Signs Article dealing with the electric will be removed. The City Manager replied that the Building Code Official stated that it could be removed from the Zoning Code.

Council Member Minner stated that animation on electronic message signs should be allowed; the brightness of signs is what is distracting. The

City Manager stated that research was conducted, and Georgetown, Dover, Milford, and Smyrna do not allow animation. The City Solicitor stated that he spoke with the Chief of Police who thinks that animation is a driving distraction. Council Member Bivans stated that animation should be allowed for holidays and special events. The City Manager stated that it is the opinion of the City Planner, City Solicitor, Chief of Police, and herself that animation should not be allowed, but it is a decision of the City Council. Council Member Porter stated that the City Council should listen to the City Planner, City Solicitor, Chief of Police, and City Manager.

Discussion occurred regarding what constitutes animation.

Mayor Moyer asked the City Solicitor to discuss with the Chief of Police about allowing animation on holidays and special events.

A MOTION was made by Council Member Minner, seconded by Vice Mayor Bivans, to accept the first reading of Ordinance 15-06 with the City Solicitor to speak with the Chief of Police regarding animation and Council Member Marquis to provide wording to the City Manager regarding allowing additional wall signage. The MOTION passed unanimously.

First Reading of Ordinance 15-07 – Repealing and replacing the Zoning Map

A MOTION was made by Council Member Marquis, seconded by Council Member Minner, to suspend the reading of Ordinance 15-07.

The City Planner stated that there were six parcels that requested not to be rezoned and have been removed from the map and parcel list on the ordinance: 12 Clark Street, 10 Clark Street, 8 Clark Street, 6A East Street, 6 East Street, and a parcel on Milford Harrington Highway. Those are the only property owners that have submitted objections in writing. There is another meeting scheduled with a property owner to discuss rezoning, so there may be another change.

The Clerk of Council read the synopsis:

This Ordinance rezones the parcels listed as part of a comprehensive rezoning project to align property zoning to the Future Land Use Map adopted as part of the Comprehensive Land Use Plan. It also amends the Zoning Map for the City of Harrington to reflect the zoning changes.

A MOTION was made by Council Member Minner, seconded by Council Member Porter, to accept the first reading of Ordinance 15-07. The MOTION passed unanimously.

Police Contract

The Police Resource Manager stated that the officers are not asking for anything more than what the other City employees receive. Council Member Porter thanked the officers for cooperating with the City and helping when financial times were difficult.

A MOTION was made by Council Member Porter, seconded by Council Member Minner, to accept the police contract as presented. The MOTION passed unanimously.

Fire Department Contract

Kenny Brode stated that the Fire Department has agreed to the contract. Mayor Moyer stated that he asked for an additional three thousand dollars (\$3,000) be allotted to the Fire Department this year only. Mr. Brode stated that the Fire Department appreciates the additional funds.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to accept the Fire Department contract. The MOTION passed unanimously.

Resolution 15-R-06 – Adopting a revised FY 2015 Budget and FY 2016 Budget

Mayor Moyer read Resolution 15-R-06.

Council Member Porter thanked the City Manager and Accountant for a well prepared budget. Mayor Moyer stated that the City Council has done a good job too.

A MOTION was made by Council Member Porter, seconded by Council Member Coleman, to adopt Resolution 15-R-06.

Council Member Minner stated that she would like to see the City Council volunteer to work on the City Hall improvements.

Roll was called on the motion to adopt Resolution 15-R-06: 6 Yes, 0 No (Bivans – Yes, Coleman – Yes, Marquis – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

Public Comments

Jason Dean thanked the City Council for adopting the budget with no tax increase. Mr. Dean stated that the flashing speed limit sign is distracting and that motion on signs is fine.

Cheryl Lahman stated that the current budget would not have been possible without the previous year's tax increase.

City Council Comments

Vice Mayor Bivans stated that he would like the City Council to review the pothole priority list.

Mayor Moyer asked if there have been any complaints about brown water. The City Manager stated that the additive has helped the brown water and has reduced the need to flush hydrants to every other month. The number of complaint calls is down.

Council Member Minner stated that she received a compliment about the Public Works staff.

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 8:06 p.m.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council