

**City of Harrington  
MINUTES  
City Council Special Meeting  
August 3, 2015**

**Public Comments**

William Brode suggested highlighting how the money saved by approving the refinancing referendum will be used.

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A meeting with the Harrington City Council was held at Harrington City Hall, 106 Dorman Street, on August 3, 2015 and was attended by the following: Mayor Anthony R. Moyer; Vice Mayor Duane E. Bivans; Council Member Eric Marquis; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also present: Max Walton; Barbara Bullock; Jennifer Antonik; and William Brode.

Council Member Fonda Coleman entered the meeting at 6:38 p.m.

Council Member Amy Minner was absent.

Mayor Moyer called the meeting to order at 6:32 p.m.

The Pledge of Allegiance was given.

Roll was called.

**Executive Session**

**Pending litigation**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to go to Executive Session for pending litigation. The MOTION passed unanimously.

The City Council Meeting recessed at 6:35 p.m.

Mayor Moyer called the City Council Meeting back to order at 6:50 p.m. Those still present: Mayor Anthony R. Moyer; Vice Mayor Duane E. Bivans; Council Member Fonda Coleman; Council Member Eric Marquis; Council Member Charles W. Porter; Council Member Kenneth W. Stubbs; Norman Barlow, Chief

of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

### **Discussion of curfew**

The City Solicitor stated that the City had a curfew a long time ago, and the previous City Solicitor, Mr. Jaywork, instructed the Police Department not to enforce it. The City Solicitor stated that when he became City Solicitor in 2001, he continued that opinion, because he does not believe that it passes constitutional muster. The City Solicitor stated that to have a curfew, the City would have to have juveniles committing crimes or have crimes committed against them outside their residences during the curfew hours. The statistics for the last six months compiled by the Police Department have not really had those crimes. The draft ordinance is very similar to what Dover has. The City Solicitor stated that he is not aware that Dover has ever taken any enforcement action under this curfew.

[Additional discussion of a curfew continued and a motion to table is below during the First Reading of Ordinance 15-09.]

### **First Reading of Ordinance 15-09 – Adding a new Chapter entitled Disorderly Premises**

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to dispense with the reading of Ordinance 15-09. The MOTION passed unanimously.

Mayor Moyer read the synopsis of Ordinance 15-09:

This Ordinance adds Chapter 145, Disorderly Premises, to regulate disorderly premises.

Mayor Moyer stated that there have been some issues in the City with parties.

Council Member Porter asked how this ordinance is related to the curfew. The City Solicitor stated that it is another tool that can be used. There has essentially been one incident that got out of hand, and to a large extent, those involved were not juveniles. The disorderly premises ordinance is broader than a curfew. Mayor Moyer stated that Ordinance 15-09 is a separate issue than a curfew.

Vice Mayor Bivans stated that there are juveniles causing issues during hours earlier than what a curfew would cover and that needs to be addressed.

Council Member Marquis stated that there are more people in favor of a curfew than against it and that he is also in favor of Ordinance 15-09.

The Chief of Police stated that people can call to report problems when it is not an emergency by calling Kent Com at 739-4863, so that the police can respond. People can call anonymously. The City would then have data to support a curfew.

Council Member Coleman stated that many of the people being referred to as children are actually over the age of eighteen. The City needs data to support a curfew.

Mayor Moyer asked about loitering laws. The Chief of Police stated that there is a State statute and that works well with the cooperation of the business owners.

A MOTION was made by Council Member Porter, seconded by Council Member Marquis, to accept the first reading of Ordinance 15-09. The MOTION passed unanimously.

A MOTION was made by Council Member Porter, seconded by Vice Mayor Bivans, to table the discussion of a curfew to the next workshop. The MOTION passed unanimously.

**First Reading of Ordinance 15-10 – Amending Chapter 440, Zoning, related to prohibitions in the Manufacturing Zone**

Mayor Moyer read Ordinance 15-10.

Mayor Moyer asked about adding “or other petroleum products” after “gasoline” in § 440-97 F.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to accept the first reading of Ordinance 15-10 as amended. The MOTION passed unanimously.

There being no further business, a MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to adjourn the City Council Special Meeting. The MOTION passed unanimously, and the meeting adjourned at 7:18 p.m.

Respectfully Submitted,



Kelly Blanchies  
Clerk of Council