

City of Harrington
MINUTES
City Council Meeting
March 5, 2012

A meeting of the Harrington City Council was held on March 5, 2012 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 Jack Stewart; Council Member Kenneth Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also in attendance: Rhiannon Bush, City Clerk; Keith Shyers, Deputy Chief of Police; Christine Hayward, Library Director; Glen Howell, Kent County Levy Court Commissioner; Mrs. Howell.

Council Member Wayne Porter was absent.

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

Presentation of book reimbursement funds from Kent County by Levy Court Commissioner Glen Howell

Commissioner Howell presented a check from Kent County Levy Court to the Library Director. He also gave out maps of the new Levy Court districts. Mrs. Howell stated that libraries have played a large part in her life. Both she and Commissioner Howell have liked to read since they were children.

Mayor Price stated that he is glad to have Commissioner and Mrs. Howell present and that they are advocates for libraries. We are very proud of our library and library staff, and the money would be put to good use.

Commissioner Howell stated that he encourages people to call him with any questions or concerns.

The Library Director stated that the Friends of Harrington Public Library have partnered with Lake Forest School District to bring Imagination Library to Delaware. It is a foundation started by Dolly Parton to put books in the hands of children from birth to the age of five. Children in the Lake Forest School District can sign up for the program and receive a different age appropriate book every month. The kick-off will be March 13 at 10:00 am. The Library Director stated that Harrington Public Library is the only one in the State doing this program.

Presentation on preliminary findings of the water rate study by Jean Holloway from Delaware Rural Water Association

Ms. Holloway stated that what she is presenting is preliminary because it is very difficult to predict revenue when there is no usage data on 982 residential customers. The City Manager stated the water rate study is being conducted free of charge. Ms. Holloway stated that Delaware Rural Water Association is under contract with the State to provide technical and managerial assistance. This is not a final rate, and it is predicated on 100% collection, which almost never happens. So you have to build a little into the rate that not everyone will pay on time.

Ms. Holloway stated that current rates are below the USDA affordability standard, which is good for the customer, but the USDA might require rate increases when borrowing money. Currently there is no reserve being saved; water department salaries are being absorbed by the Public Works budget; and flat rate billing is inequitable. Without meters it is difficult to detect leaks. A gallon allowance of 20,000 gallons for a quarter is very high. She recommends a gallon allowance of 0 to 9,000 gallons per quarter.

Ms. Holloway stated that good rates should be equitable, include an allocation for reserves, cover full cost of operating, and not depend on subsidy from tax dollars. She presented a slide show that included various scenarios for water rates.

The City Manager stated that we have a fifteen million dollar debt ceiling, and we are at nine. She would like zero gallon allowance.

Ms. Holloway stated that with her suggested scenario, the average residential bill would go down and commercial bills would go up. Objectively, commercial customers have probably not been paying their fair share.

Ms. Holloway suggested that new rates be implemented only after collecting at least six months worth of readings from new meters, having the lowest gallon allowance feasible, adjust rates based on actual usage, and take into account the collection percentage.

Mayor Price stated that he appreciates the concise and easy to read presentation. Council Member Stubbs stated that Council has been talking about this for years but have had larger fires to put out. Mayor Price stated that rates had to be increased before for funding. Ms. Holloway stated that the City is on the right track by getting meters, and self funding them will save customers a lot of money. It is also a conservation measure, which helps to lower water costs and sewer costs.

Minutes

City Council Workshop February 15, 2012

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stewart, to accept the February 15, 2012 City Council Meeting Minutes as presented. The MOTION passed unanimously.

City Council Meeting February 21, 2012

Council Member Stubbs stated that under Contract award, he asked Mr. Linden if there was going to be any extra charge for reading the meters. He asked about modifications to lids or if he would have to replace the lids and Mr. Linden said no. Council Member Stubbs stated that with that type of meter, the lids would have to be modified or put new lids in.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Bivans, to accept the February 21, 2012 City Council Meeting Minutes with the following corrections: the motion to renew the lease of 102 Dorman Street with the Lake Forest Church Association, Inc. was seconded by Council Member Stubbs; under Contract award – Potable Water Meter Project, first paragraph, remove “antenna” and add “modified or replaced” after lid; under Contract award – Potable Water Meter Project, third paragraph, add the sentence “Mr. Linden stated that there would be no additional cost to read the meters;” the motion to accept the bid recommendation from the City Engineer for the Potable Water Meter Project and to keep the existing 300 Master meters already installed was seconded by Council Member Stewart; the motion to approve Resolution 12-R-01 to authorize the Mayor to apply for the Community Development Block Grant to replace portions of the curbs and sidewalks along Hanley Street and to authorize matching funds in the amount of \$9,457.50 for the project was seconded by Council Member Stewart; and the motion to approve Resolution 12-R-01 to authorize the Mayor to apply for the Community Development Block Grant to replace the curbs and sidewalks along Hanley Street and to authorize matching funds in the amount of \$29,647.50 for the project was made by Council Member Bivans and seconded by Council Member Stubbs. The MOTION passed unanimously.

Old Business

Public Hearing on Ordinance 12-01 – Amending Chapter 305, Property Maintenance; Ordinance 12-02 – Amending Chapter 399, Utility Services, Payment for; 12-03 – Amending Chapter 180, Fees, Municipal; Ordinances 12-04 – Amending Chapter 350, Source Water Protection; and Ordinance 12-05 – Adopting a new district map

There was no one in attendance to speak on Ordinances 12-01, 12-02, 12-03, 12-04, or 12-05.

Mayor Price closed the Public Hearing.

Second Reading of Ordinance 12-01 – Amending Chapter 305, Property Maintenance

Council Member Bivans asked if trash containers placed to the rear of property needed to be screened or just trash containers placed to the side of the structure. The City Manager replied that just trash containers on the side of a structure need to be screened.

Mayor Price stated there has been a First Reading and a Public Hearing.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Bivans, to accept Ordinance 12-01 as presented. The MOTION passed unanimously.

Second Reading of Ordinance 12-02 – Amending Chapter 399, Utility Services, Payment for

A MOTION was made by Council Member Stubbs, seconded by Vice Mayor Lahman, to accept Ordinance 12-02 as presented. The MOTION passed unanimously.

Mayor Price stated that all of these ordinances have had a First Reading and Public Hearing.

Second Reading of Ordinance 12-03 – Amending Chapter 180, Fees, Municipal

A MOTION was made by Council Member Stewart, seconded by Council Member Stubbs, to accept Ordinance 12-03 as presented. The MOTION passed unanimously.

Second Reading of Ordinance 12-04 – Amending Chapter 350, Source Water Protection

Vice Mayor Lahman asked if this Chapter is being replaced in its entirety. The Clerk of Council replied yes, much of it is the same though.

A MOTION was made by Council Member Stubbs, seconded by Vice Mayor Lahman, to accept Ordinance 12-04 as presented. The MOTION passed unanimously.

Second Reading of Ordinance 12-05 – Adopting a new district map

Mayor Price stated that there was a First Read and a Public Hearing earlier this evening.

Mayor Price asked how the new district map would be publicized. The Clerk of Council stated that the Charter calls for it to be advertised in the newspaper. The City Manager stated that we can put it on the website, and there will be a newsletter in April.

Council Member Stewart stated that Council Member Bivans previously said that the district map should be posted in front of the City Offices, and he thinks that is a good idea. Mayor Price stated that as much as we can do to publicize it, the better.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Stewart, to accept Ordinance 12-05 as presented. The MOTION passed. Roll was called: 4 Yes, 1 No, 1 Absent (Lahman – Yes, Bivans – No, Coleman – Yes, Porter – Absent, Stewart – Yes, Stubbs – Yes).

New Business

Appointment of Election Board and Election Workers

Mayor Price stated that the person he was going to appoint cannot do it, so this issue will be added to the March meeting. There has also been a resignation from Planning and Zoning because the person is moving out of town, so let him know if there is anyone interested in that position.

Replacement of totaled police vehicle

The Chief of Police stated that last month there was an accident and the insurance company deemed the vehicle totaled. There was a plan to replace one of the 2007 vehicles anyway, because it was coming up on the five year rotation. They choose a Tahoe for the K-9 unit for the additional space and safety reasons of carrying a prisoner up front. The total cost of the two vehicles would be \$50,975. The additional costs of the K-9 insert, striping and lights would be \$8,800. The available funds from the insurance, donations, grants, and DEA funds are \$40,775, leaving a \$19,000 deficit. The bid on the Intrepid, which is the Code Enforcement vehicle, is \$3,500, and the 2007 Crown Vic can go to Code Enforcement, because it is in much better condition. That still leaves a deficit of \$15,500.

The Chief of Police stated that through the LESO (Law Enforcement Support Office) program, we have acquired several pieces of equipment, including a couple of dump trucks. With Council's permission, he would like to sell the dump truck that the City purchased last year to try to cover

the deficit. Council Member Bivans asked about fitting the snow blade on the new dump trucks. The Chief of Police stated that there would be a minimum cost.

Mayor Price stated that normally the City would reimburse where money came from for different items back into that department, but what the police have acquired has been more than the City could have purchased. Due to the efforts of the Police Department he would like to see the money from the sale of the dump truck go back into this project because Public Works is getting a big upgrade.

Council Member Stubbs stated that he would like to let the public know what the Police are doing by acquiring equipment without spending money. The Chief of Police stated that he plans to do one big presentation once things are fixed up. Mayor Price stated that he has received questions about the new equipment.

Council Member Bivans asked if there was any other equipment that could be sold. The Chief of Police stated that what is being acquired now has to be retained for a year.

A MOTION was made by Council Member Stubbs, seconded by Council Member Stewart, to approve the purchase of the 2011 Tahoe and 2011 Charger; issuance of the available funds, which includes \$23,071 in DEA funds, as proposed by the Chief of Police; and to sell the 2004 Dodge Intrepid and Public Works' dump truck. The MOTION passed unanimously. Roll was called: 5 Yes, 0 No, 1 Absent (Lahman – Yes, Bivans – Yes, Coleman – Yes, Porter – Absent, Stewart – Yes, Stubbs – Yes).

Presentation of website services

The City Clerk stated that there are some features on our current website that we would lose if we switch services, but we do not feel that those features are worth staying for. There have been a lot of problems in the IT area since August. We were given no notice when they dropped our IT service. In January, the provider had a server that hosted both our website and email crashed; we spent three days trying to contact someone at the provider and received no return phone calls. The City Manager stated that she called Dover, who was having the same problem, and we received phone calls from Lewes and New Jersey who were both trying unsuccessfully to contact the provider. There was no communication from the provider for a week. It messed up our email for a month.

The City Clerk stated that we have heard from the Government Information Center (GIC). They handle the website for the State of

Delaware. We can piggyback on the State of Delaware for free; currently we pay \$50 a month to maintain the site and \$12 a month for email filtering, which did not work for two months.

The City Clerk stated that the GIC also offers the Delaware Municipal Web Developers Group, which is also free. In that group you network with other municipalities, and they help you maintain what the GIC has set-up. There is no cost to set-up, and they will train us on how to use it. It is essentially a Word Press blog, but it does not look like a blog.

Mayor Price stated that he thinks this is an internal issue and does not need to go before Council. The City Manager stated that since Council approved the previous group, she wanted to let them know what was happening. Council Member Stubbs stated that he has had trouble getting information from the website. The City Clerk stated that when the website is down, it inhibits our ability to collect payments and limits the amount of information the public can access. The City Manager stated that her concern is that the contractor that we are using now has shown that they are not responsive or reliable. Mayor Price asked if the current service is contractual. The City Clerk stated that it is month to month. Mayor Price asked if anyone had a problem with switching. He thinks that this is an administrative issue.

The City Clerk stated that they would also like to take the email service to another hosting company. That cost would be \$15 a month and includes filtering.

The City Clerk stated that the website address would also change to harrington.delaware.gov but would like to keep cityofharrington.com to keep control of it. The City Manager stated that we should change the web address because .gov identifies us as a legitimate government website.

Public Comments

There were no Public Comments.

Executive Session

Consent for settlement of litigation

The City Council Meeting recessed.

Mayor Price called the City Council Meeting back to order. Those still present: Mayor Robert E. Price, Jr.; Vice Mayor Cheryl Lahman; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Jack Stewart; Council Member Kenneth Stubbs; Norman Barlow, Chief of Police; William

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

Consent for settlement of litigation

A MOTION was made by Council Member Stubbs, seconded by Vice Mayor Lahman, to consent for the settlement of litigation within the terms of the insurance maximum. The MOTION passed unanimously.

There being no further business, a MOTION was made by Vice Mayor Lahman, seconded by Council Member Stewart, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council