

City of Harrington
MINUTES
City Council Meeting
May 7, 2012

A meeting of the Harrington City Council was held on May 7, 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 Wayne Porter; 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 present: Amy Minner; Stacey Walls; Shirley Wilson; and M. Jean Miller.

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

Minutes

City Council Workshop April 11, 2012

Vice Mayor Lahman asked if the fall clean-up will be included in the budget. The City Manager stated that she is still waiting on numbers, but it will be included.

A MOTION was made by Council Member Stubbs, seconded by Council Member Stewart, to accept the April 11, 2012 City Council Workshop Minutes as presented. The MOTION passed unanimously.

City Council Meeting April 16, 2012

Council Member Bivans asked if a street sweeping schedule had been established. The City Manager stated that it is being completed now and would be included in the monthly Public Works report. Council Member Bivans asked for an update on the Milby Street water line replacement. The City Manager stated that the water line is in, the bacteria test has passed, and the crew is beginning to install hook-ups and next week the fire hydrants will be installed. Delmarva Paving has been contacted about the paving. Council Member Stubbs asked about a compaction test. The City Manager stated she would check on it. Council Member Bivans asked about the ramp issue with the Downtown Streetscape project. The City Solicitor stated that he sent the contractor a letter giving them a deadline or he was going to call the bond. The City Engineer should have called the bond.

A MOTION was made by Council Member Bivans, seconded by Council Member Stewart, to accept the April 16, 2012 City Council Meeting Minutes as presented. The MOTION passed unanimously.

Old Business

Second Reading of Ordinance 12-07 – Amending Chapter 378, Taxation

The Clerk of Council stated that as requested at the previous meeting, income limits were added to the ordinance to match the County and that if the resident is approved for the County discount then they will automatically receive the City discount. Mayor Price asked how people would be notified. The City Manager stated that everyone that received the discount last year will get a letter and a notice will be placed in the Senior Center.

Vice Mayor Lahman asked what the percentage discount is. The Clerk of Council replied 5%.

Council Member Bivans asked if there is currently income restrictions. The City Manager replied no. The Clerk of Council stated that there is currently no requirement for an application either. The City Manager stated that people would come in with proof of age when they paid the bill and journal entries would have to be made to adjust the amount, and auditors do not like that, and there is more chance of a mistake.

Mayor Price asked if a deadline of June 15 allows enough time before billing. The City Manager replied yes.

Council Member Bivans asked if there is an age requirement to qualify if disabled. The City Manager replied it is for those disabled at any age. Council Member Bivans stated that the ordinance does not read that way. The City Solicitor stated that § 378-10 requires an age of sixty-five or disability, not both.

Council Member Bivans asked why the income limits were added to the ordinance. The City Manager stated that it was requested by the Council. Council Member Bivans stated that he does not think there should be an income limit. The City Manager stated that most cities have an income limit and age requirement. The proposed income limit does not include Social Security income. Council Member Porter stated that there should not be an income limit. Vice Mayor Lahman stated that the discussion is about taxes as a whole, if the money is not collected from those that have money then the tax rate will have to rise. Mayor Price stated that part of

the cost is offset by the removal of the capitation tax. Vice Mayor Lahman stated that the average discount is probably about twenty-five dollars.

Vice Mayor Lahman stated that she is not concerned with removing the income limits but that it is important to keep the changes to administering the discount.

Mayor Price asked the Clerk of Council to review the changes to the Ordinance that the City Council discussed. The Clerk of Council stated that the changes are to remove the income limits, which are Sections 7 and 9, and Section 11 Paragraph B is to read:

Applications for Partial Tax Relief for Senior Citizen and Disabled Property Owners shall be submitted to the City Clerk and/or his/her designee by June 15, 2012 for the 2012-2013 tax year. For every year thereafter, applications for Partial Tax Relief for Senior Citizen and Disabled Property Owners shall be submitted to the City Clerk and/or his/her designee by May 31 for the upcoming tax year. If May 31 falls on a weekend or holiday, applications shall be due the first working day following May 31.

Vice Mayor Lahman asked how people would be notified. The City Manager stated that a letter would be sent and notices posted. Vice Mayor Lahman asked if everyone will have to apply again next year. Mayor Price stated that the Ordinance includes applying every year.

A MOTION was made by Council Member Bivans, seconded by Council Member Stewart, to adopt Ordinance 12-07 as amended with the removal of Section 7 and Section 9, adding the option to extend the application deadline until June 15, 2012 for the 2012-2013 tax year, and renumbering the sections. Roll was called: 6 Yes, 0 No (Lahman – Yes, Bivans – Yes, Coleman – Yes, Porter – Yes, Stewart – Yes, Stubbs – Yes). The MOTION passed unanimously.

New Business

Resolution 12-R-03

Adopts a list of other debts owed to the City of Harrington to be added to tax bills and sets procedures for appeals.

The Clerk of Council stated that distributed before the meeting was a list of additions to the tax bills for any past due fees, such as water, sewer, and trash fees. If anyone wants to appeal the charges, they can appear before City Council on May 21, 2012 at the regular meeting; there will be

an agenda item for appeals. The City Solicitor stated that anyone wishing to appeal has to file a Notice of Intent at least three days in advance.

Mayor Price asked if the people on the list receive letters. The Clerk of Council stated that list is posted at City Hall, and the notice about the appeals is posted in at least three places.

Council Member Porter asked how many years of taxes the list includes. The City Manager stated that it does not include any taxes, only other charges like water, sewer, and miscellaneous billings. If a property is no longer receiving services and still does not pay their bill, this is the last resort to try to collect the money that is owed. The relevy is added to the tax bill and if the taxes are not paid for two years then the property goes to monition sale.

Council Member Bivans asked if the people on the list have been directly notified. The City Manager stated that they have been billed many times.

Vice Mayor Lahman asked what the procedure was for mortgage companies. The City Manager stated that mortgage companies generally do not pay anything until they absolutely have to pay, so when it goes to sheriff sale then the company will pay or let it be sold.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Porter, to accept Resolution 12-R-03. Roll was called: 5 Yes, 1 No (Lahman – Yes, Bivans – No, Coleman – Yes, Porter – Yes, Stewart – Yes, Stubbs – Yes). The MOTION passed.

Selection of Public Works Technician

The City Manager stated that she, along with the Public Works Supervisor and Chief of Police, interviewed five candidates. Richard Clough is very qualified and will bring expertise to the Public Works crew.

A MOTION was made by Council Member Stubbs, seconded by Council Member Stewart, to accept the recommendation for the selection of the Public Works Technician. The MOTION passed unanimously.

Edmunds charity donation request

The City Manager stated that the City uses Edmunds as its main software program. The City Council has approved two additional modules in the budget. They are asking for a \$250 donation to the Guts and Glory race which supports the fight against crohn's disease and ulcerative colitis. In exchange for that donation, they are offering a \$250 discount on our software support agreement.

Council Member Porter asked what if other companies ask for the same thing. The City Solicitor stated that it is zero sum. The City Manager stated that this would be the precedent that it is a net zero expense.

A MOTION was made by Council Member Bivans, seconded by Council Member Porter, to deny the charity donation request. Roll was called: 2 Yes, 4 No (Lahman – No, Bivans – Yes, Coleman – No, Porter – Yes, Stewart – No, Stubbs – No). The MOTION failed.

A MOTION was made by Vice Mayor Lahman, seconded by Council Member Coleman, to make the donation requested by Edmunds and accept the credit on the Edmunds bill. Roll was called: 4 Yes, 2 No (Lahman – Yes, Bivans – No, Coleman – Yes, Porter – No, Stewart – Yes, Stubbs – Yes). The MOTION passed.

Public Comments

Ms. Minner asked if the notice about the additions to tax bills could go on the City's website. The Clerk of Council stated that all the City's public notices go on the City's website and are linked to on Facebook, and there will be a message on the electronic sign as well.

Ms. Minner asked if the final notices for tax bills are being sent certified. The City Manager replied no. Ms. Minner stated that there is no documentation that the notice was sent if it is not certified. The City Solicitor stated there are no ramifications; the County does not send tax bills by certified mail.

Ms. Wilson thanked the police department for patrolling Clark Street.

Executive Session

There was no Executive Session.

There being no further business, a MOTION was made by Council Member Porter, 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