

TOWN OF HARTLY
P.O. Box 181
HARTLY, DE 19953

MEETING MINUTES

Tuesday, August 11th, 2015
7:00 P.M.

Council Members Present:

Christine Oldham	Raymond K. Morris	Mark Maguire
Victoria Norris	Suzanne Morris	

Other Attending:

Jeff Spiegelman, Representative	Dave Lawson, Senator	Heather Content
Pete Morris	Jeff Brown	June E. Myers
Amy Weissenfluh	Renate Brown	Charlotte Fox
Bob Weissenfluh	Penny Rodimak	Krystal Bentley
Chris Riggle	Mike McMananey	John Smith

I. Call to Order & Roll Call

Christine Oldham called Meeting to Order at 7:00 PM

All town council members were present

II. Invocation & Pledge of Allegiance

Prayer delivered by Penny Rodimak

Pledge of Allegiance led by Raymond Morris

III. Approval of Previous Minutes/Approval of Tonight's Agenda

Suzanne motioned & Ray 2nd approval of Meeting Minutes. Motioned carried

Suzanne motioned, Ray 2nd approval of tonight's agenda. Motioned carried

IV. WELCOME GUESTS: Open Discussion and Q&A regarding Family Dollar

a. Chris Riggle, Maser Consulting P.A.

b. Mike McMananey Representative from Hunt Real Estate

V. Reports

a. Family Dollar Annexation Committee

Mark gave report. Mark, Ray and Frank Ballek Sr. met and discussed the Pros and Cons regarding Family Dollar's request for Hartly location and annexation of land. It was agreed that the town should support and annex the property for Family Dollar to continue to move forward with the

project. A motion will be presented under proper business to move forward with initiatives to support this effort.

b. Bills (Electric and other misc)

Mark was reimbursed for weed killer. \$66

Christine reported on Electric bill – Lisa Uberdorf at Delmarva has a team researching information regarding the Town’s utility bill. June bill was \$25,741.45. That includes late fees (fee’s approx \$3,800.00).

c. Taxes

Suzanne reported she worked with Victoria and the Kent County Tax Department; tax statements have been created and printed. Additionally, a document referencing forgiveness of past 5 years taxes has been crafted and printed to be mailed out with 2015 Tax Statements. There were no delinquent taxes (prior to 2010) that could be identified and verified. Tax statements are available for those who wish to pick them up tonight.

d. Budget/Finance

Victoria reported starting balance of checking \$2,766.92. Outgoing - 1 payment to Ray 138.95. One restitution check from R. Casson has been received but not yet deposited.

e. Building Permits

Mark reported no building permits requested and reported on procedures for applying for commercial building permit.

f. Correspondence

Received Letter from DeIDOT confirming MSA of \$537.40 is available to Hartly for this year.

Emails: DLLG – Carl Luft – Annual dues \$500.00.

Email - Disaster mitigation grant program information from DLLG

Email - Comcast franchise renewal agreement information

Email – From DOS regarding work on website, a MOU form to be signed and returned

Email – From DLLG regarding municipal waste water facilities partnership

VI. Unfinished Business

a. Archives

Suzanne reported she has been going thru old documents. Meeting minutes have been organized. Still much to review and organize. Meeting minutes will be filmed and other old documents destroyed.

b. Comprehensive Plan

Suzanne reported she started reviewing the draft created in 2007. Dave Brown agreed to be committee chairperson. Bob & Amy will assist. It was previously mentioned that Comp Plan has

to be approved before we can complete the annexation of Family Dollar. Next review for comp plan committee is Sept 1. Once a month the State Office Comprehensive Plan group gets together to review drafts and provides feedback. Jeff Spiegelman mentioned that no more Legislative meetings until January 2016 and that will only be for 2 weeks. We need to make the Jan deadline to present to Legislature. The next session will resume in March 2016.

c. CTF Agreement for Hartly Volunteer Fire Company “Front Pad Project”

Raymond reported - We obtained 4 bids. Gingrich Masonry \$81,800. EFG paving \$87,000, TNT \$89,000, Gateway construction \$92,000. It is Raymond’s recommendation to accept the low bid. Suzanne suggested we consult with HVFC president to make sure they agree with accepting Gingrich bid prior to carrying a motion on it; all agreed. Allen Metheny, HVFC President, will be consulted prior to motion being made under New Business.

d. Sidewalks

Mark Reported - Ray is working on letter to send to DeIDOT indicating are interested in the TAP program.

Mark sprayed sidewalks with weed killer last week.

e. Insurance

Christine reported – Insurance has been purchased through Gephart Insurance Co. to cover all council, including the Treasurer.

f. Municipal Street Aide

Suzanne reported - We recieved confirmation from DeIDOT for this years funding availability. In order to move forward with obtaining the funds we need copy of paid ins policy and need to open a separate MSA checking account.

g. Ordinances Review

No progress at this point in time.

h. Town Website

Suzanne reported – Received MOU from DOS-GIC. Once signed we can move forward with building the website.

i. Other unfinished business as may be necessary for discussion and/or action

- Presentation on Family Dollar Project was given by Chris Riggle, Maser Consulting, and Mike McMananey, Hunt Real Estate:

Family Dollar has approved the Hartly location. Nine to ten months of research has been completed to date which determined this is a good place for Family Dollar to build. Family Dollar is similar to a Walgreens but without the Pharmacy. Family Dollar will carry essentials and seasonal items. They are very excited to move forward but realize it will be a long process.

Q: It was questioned why they need the 10 foot annexed in before continuing the process. Don't understand why they can't proceed with the project and ask for the annexation afterwards.

A: We need 1 tax parcel in order to complete the project. We can continue to move forward but need to know the town is supportive of Family Dollar project.

Timeline – Family Dollar is looking at another several months before they move forward with permits. They do need to start up by summer 2016 in order to finish the project by Oct 2016.

Family Dollar is looking for confidence and support from the town.

Goal is to have doors open by October.

Take 24 weeks to build and open store.

How many jobs come in with a FD store? 12-15 jobs with a new store. Store Mgr, 2 assistants. FD is open 9 – 9.

Q: Concern about FD right down the street from Hartly. The one in Marydel is not part of Mike McMann's group. The program used to approve the location for this FD is a detailed sales projection system and FD has taken in to consideration all local retail stores and they still believe that the Hartly location is a good investment and it will be sustainable. FD is a 13billion dollar company.

The lease is for 15 years.

How much would this bring in for Town? Research determined that a Motion was previously made as 5% of building cost and that would be the building cost up front. Taxes would have to be county assessed once the building is in place.

The parent company is now dollar tree. Family dollar is operating under the parent company of Dollar Tree.

FD has 9000 stores and DT has 4000 stores – they are now the largest retailer in that retail sector.

Charlotte said I think it will be good for our area. Folks will be able to walk to the store and purchase items.

Mike said that is what we Target is for the convenience factor.

Hitching post – Tom mentioned needing a hitching post for Amish.

Mike said this might be a first for FD!

Annual store # opening is about 580 range – shut down stores were approx 130. Those 130 shut downs were considered "in-line" stores (i.e. in shopping center). And now FD will only open in standalone buildings

Do you perceive any issues from DeIDOT with entries near intersection? We have done 9 months of work and did pre application proceedings and revised based on 2 meetings. There will be more meetings and there may be additional changes. One main concern is the delivery truck getting into the area. As of now DeIDOT has seen the drawings and so far OK.

Longest part of the process is the timeframe is 9 – 12 months from DeIDOT. Mark added in that with the various meetings he has had with DeIDOT, they are very aware of the FD initiative.

Propose a 6foot privacy fence around the back perimeter.

What is the rate of robbery... as a parent... concerns. It really comes down to location. Robbery is more prevalent in larger cities. There are security measures taken when considering the place that FD will be located. This area came back with a zero risk in regards to crime rate. There is a security system with cameras.

Heather asked for business cards, so she can get ahead of any snags that may come up in conversations.

Drawing was provided for review.

As long as we know we have the support of the town..... as we progress the bill gets larger and larger and knowing we have your towns support is what we were looking to hear.

- Suzanne asked Heather about the Legal list asked: Talked to legal staff about Casson issues but she wants to follow up with that person. He did mention that the town may be able to take out a policy on him if the town paid the policy. But not sure about a judge issuing a new judgement on this matter. Suzanne will send the restitution paper work to Heather.
- Per Jeff – still working on other issues
- Heather did email Lisa about the towns electric bill and the senator pressed to relieve some of the fees associated with the bill be removed.

VII. New Business

- a. Other new business as may be necessary for discussion and/or action
 - Mark motion that town move forward with annexation once the comp plan and other documentation is completed. Ray 2nd, motion carried.
 - Victoria suggest that a committee be formed to review next year finances. Motion to create a Finance committee to identify 2016 budget and review the necessity of a tax increase. It was mention to bring in some people from outside of council to be on the committee. Victoria motioned, Suzanne 2nd and motion carried.
 - Where the video store was – it is a mess – what do we have that we can go back to them on. As of right now we have no ordinances that say what we can or can't do. Mark spoke about proposing ordnances to be put in play. Mark has not seen anything in writing that will allow us to do anything at this point.
 - Spiegelman said we can't do anything until the town adopts specific ordinances. It was mentioned that the county will not condemn a house you live in unless it is the tenants complaining. What about the board of health, DNREC, Fire Marshall, etc to do something with the house. Much falls back onto the Comp Plan and Ordnances being adopted. Trash house was up for sheriff's sale but the house did not go to auction, but not exactly sure what happened. It had a \$36,000 judgement on it.

- Mark reported that Suzanne found motion made years ago by Ray and Marvin regarding rental fee's to be charged to owners. Will have official motion to move forward with rental fee's later on but we should proceed to move forward with rental agreement. Rental fee's ("Landlord" permit) are very common. Heather mentioned that part of the landlord agreement with Dover was if a tenant has 3 or more police calls the town can require the landlord evict the tenant.
- Do we have an estimate on how much we owe and how much we take in; some approximate figures were mentioned however the Finance committee should research and report back.
- What about police in town? Suzanne replied that we have not seen any revenue from State Police in a while.
- Mark called for the vote for the town to move forward with getting specific language together to move forward with Rental Landlord fee. Ray 2nd, Motion moved forward.
- Ray motion – go on record to support the proposal for Family Dollar. Mark seconded. Motioned carried.
- Suzanne – Jeff mentioned to contact DLLG to see if we can be member for free this year. Per heather be honest with DLLG and see if they can forgive membership dues.
- Allen Metheny, HVFC President, was present and agreed that the Gingrich contract should be awarded the bid. Ray motioned to accept bid from Gingrich Masonry for \$87,000. Allen agreed that Gingrich is good. Mark seconded. Motioned carried. For clarification – the bill will be presented at the completion of the project and town will forward bill to CTF funding. Gingrich is licensed and insured. Heather said make sure all 4 contracts are forwarded to DeIDOT.

VIII. Public Comment / Council Member Comment

- Public Attendee's mentioned they were very impressed with everything the council have been doing so far
- Dave Brown – has Fund Raiser going on to help raise money to pay town electric bill and asked for everyone to help sell tickets and/or purchase some tickets. \$1.00 ticket, \$5.00 for 6.
- Jeff Brown -Thanks for making sure I am notified of meetings.
- Penny – asked about fundraising – Billy Myers lived in Hartly and raised here, he has a band and Penny asked him about volunteering to put forth a gig to make some money.... Penny was thinking we could sponsors to help support the event. Penny is waiting to hear back from Billy Myers. Penny will participate in the Fundraising committee.
- Mark feels the HVFC would support any effort with Hartly to raise moneies at no or low cost to hold an event.
- Dave questioned about volunteers and where we are in getting committee together.
- Mark made a motion to limit conversations to 10 minutes. 4 yeah, 1 nay motion carried.
- If Family Dollar were to come in town the building fee collected would be a significant amount of money that could be applied to the Electric Bill.
- There was question about Town limit boundaries and a verbal explanation was provided

IX. Adjournment

Ray motioned to adjourn, Mark 2nd. Motion carried..