

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING MINUTES**

**Meeting Date:** Monday, October 24, 2022  
**Location:** 39 The Circle, Georgetown, DE 19947

Live Stream Can be Found at the Following Link:  
Website: <https://www.georgetowndel.com/live-stream.htm>

Zoom.us/join  
Zoom Meeting ID: 892 4404 3472

**Time:** 7:00 PM Regular Meeting

**TOWN COUNCIL PRESENT:**

Bill West, Mayor  
Christina Diaz-Malone, Ward One  
Sue Barlow, Ward Two  
Angela Townsend, Ward Three  
Penuel Barrett, Ward Four

**STAFF PRESENT:**

Eugene S. Dvornick Jr., Town Manager  
Stephani J. Ballard, Town Solicitor  
Bobby Fletcher, Public Works Superintendent

**7:00 PM REGULAR MEETING**

**1. PLEDGE OF ALLEGIANCE**

Town Manager Dvornick led the Pledge of Allegiance.

**2. INVOCATION**

Mayor West led the Invocation.

**3. ADOPTION OF AGENDA**

Motion by Councilwoman Townsend, seconded by Councilwoman Barlow to adopt the agenda as presented. **Motion Carried (unanimous)**

**4. APPROVAL OF OCTOBER 10, 2022 TOWN COUNCIL MINUTES**

Motion by Councilwoman Diaz-Malone, seconded by Councilwoman Barlow to approve the October 10, 2022 Town Council Minutes as presented. **Motion Carried (unanimous)**

**5. COUNCILMEMBERS COMMENTS**

Councilwoman Barlow, Ward 2

- Retirement luncheon for Lt. Tom Tyndall
- Repeat offenders with Code Enforcement

Councilwoman Townsend, Ward 3

- Advised that she organized a luncheon at the Public Library with representatives from the community, Georgetown Historical Society, Delaware Gray's, and the NAACP, regarding the confederate flag issue.

- Meeting was very productive. Group wants to meet again to see if we can come to a resolution on the flag.

Councilman Barrett, Ward 4

- Hometown hero banners are finished
- Discussed issues between emergency services and Sun Behavioral.
  - Requesting a meeting with representatives of all the emergency services and Sun Behavioral
- Raised concern with safety at the new location of Royal Farms and the new Wawa

Councilwoman Diaz-Malone, Ward 1

- No Comment

**6. EMPLOYMENT AGREEMENT ADDENDUM – TOWN MANAGER**

Questions/Comments from Council

- Councilwoman Barlow
  - Requested to discuss the employment agreement for the Town Manager in Executive Session because that is what we have done in the past.
    - Town Solicitor Ballard explained that it is the employee's option to make any personnel discussions public under FOIA and the Town Manager has exercised that option here. Town Manager confirmed.
- Mayor West
  - I have not received anything from Council stating anything the Town manager has done wrong or violated anything that could be grounds for termination.
  - Discussed the good scores on the Town Manager's evaluations with previous Councilmembers and compared them to the low scores received from the current Council.
  - Stated how outstanding Town Manager Dvornick is and how he is a great resource
  - Stated no action can be taken at this time due a complaint filed with the State and it is under investigation.
- Councilwoman Townsend
  - Stated she has noticed a difference in Gene since when he was first employed up until now – shared a few examples.
- Councilman Barrett
  - Shared a few concerns with Town Manager Dvornick's performance on certain issues that have happened in Town. Stated the Town Manager oversees every department and felt that he did not want to work together with Council on issues happening in Town.
- Councilwoman Diaz-Malone
  - Addressed concerns with employee morale
  - Discussed the detailed Town Manger report which is provided weekly
  - Stated Council as a whole is not doing their jobs

- Town Manager Dvornick
  - Addressed each of the concerns brought up by Council

Motion by Councilman Barrett, seconded by Councilwoman Townsend to table to employment agreement addendum for the Town Manager.

Vote:

Councilwoman Diaz-Malone, Ward 1:	Abstain
Councilwoman Barlow, Ward 2:	Yea
Councilwoman Townsend, Ward 3:	Yea
Councilman Barrett, Ward 4:	Yea
Mayor West:	Yea

**Motion Carried (4 yea's, 1 abstain)**

**7. AMERICAN RESCUE PLAN ACT FUNDING**

**A. DAVIS, BOWEN & FRIEDEL ENGINEERING SERVICES PROPOSAL – MAIN PUMP STATION**

Motion by Councilwoman Diaz-Malone, seconded by Councilman Barrett to approve Davis, Bowen & Friedel engineering services proposal for the main pump station, in an amount not to exceed \$57,500.00 from the American Rescue Plan Act Funding.

**Motion Carried (unanimous)**

**8. DAVIS, BOWEN & FRIEDEL PROPOSAL – FOR UPDATING TOWN'S STANDARDS AND SPECIFICATIONS FOR SEWER, WATER, AND ROADS - \$14,500**

Motion by Councilwoman Townsend, seconded by Councilwoman Barlow to approve the proposal from Davis, Bowen & Friedel for updating town's standards and specification for sewer, water, and roads in an amount not to exceed \$14,500.00. **Motion Carried (unanimous)**

**9. BENCH SPONSORSHIP PROGRAM**

This will allow private parties to sponsor the cost of a bench in Town and add a plaque – for instance in memory of someone. Details of the program will be set up by the Town. Motion by Councilwoman Barlow, seconded by Councilwoman Townsend to approve the bench sponsorship program. **Motion Carried (unanimous)**

**10. 1<sup>ST</sup> READING OF ORDINANCES**

**A. ORDINANCE #2022-08 REVISION TO TOWN CODE §230 ARTICLE XXII SIGNS**

Town Manager Dvornick read an overview of the ordinance into the record. The Ordinance is to amend the code of the Town of Georgetown section 230 entitled zoning dealing with article XXII Signs. The Ordinance covers total sign area, signs permitted in all districts, limits on detached signs in Highway Commercial district, complex signs in Highway Commercial district, changes made to Educational District, and limits on placement of electronic message boards per parcel.

This is the first reading. No action at this time.

## 11. DEPARTMENTAL REPORTS

### A. TOWN MANAGER – GENE DVORNICK

#### Project Updates

- Water Main & Service Line Replacement
  - Work resumed on October 13
  - Eight completed – three remain
- Park Avenue – Phase 1
  - New force main installation continues
  - Connection to existing will be a night-time project
- Hunting on Town-Owned Lands
  - Assumption of Risk, Release of Liabilities, Indemnification and Covenant Not to Sue
  - Rules and Regulations Promulgated
  - Area maps being drafted
  - LWCTF Lands – Awaiting DNREC response
- Donovans Road – Former Georgetown Dump
  - Voluntary Clean-Up Program Agreement executed with DNREC
  - Remedial Investigation Plan being developed
- 2023 Community Development Block Grant
  - Focus remains on housing rehabilitation
  - Difficulty in obtaining owner-occupied housing participants
  - Should we pass on the 2023 Application Participation?

*Motion by Councilman Barrett, seconded by Councilwoman Townsend to not participate in the Community Development Block Grant for 2023.*

#### Vote:

Councilwoman Diaz-Malone, Ward 1:	Yea
Councilwoman Barlow, Ward 2:	Yea
Councilwoman Townsend, Ward 3:	Yea
Councilman Barrett, Ward 4:	Yea

**Motion Carried (unanimous)**

#### General Items

- Upcoming Events
  - Trick or Treat: Monday, October 31, 6:00 PM – 8:00 PM
  - Sussex County Association of Towns: Wednesday, November 2, 6:00 PM, hosted by Ocean View
  - Sussex County Association of Towns Steering Committee: Friday, November 4, 9:00 AM, First State Community Action Agency
  - Town Office Closures:
    - Tuesday, November 8 – Election Day
    - Thursday, November 10 – Return Day
    - Friday, November 11 – Veterans Day

### ARPA Encumbrances

<b>Project</b>	<b>Obligated</b>	<b>Vendor</b>	<b>Description</b>	<b>TC Approved</b>
Biolac	\$171,875.00	Parkson Corporation	Biolac Repairs/Nozzles/Biofuser Replacement, Barge Purchase	September 8, 2021
SCI Elevated Storage	\$88,500.00	Davis, Bowen & Friedel Inc	Preliminary Engineering	September 22, 2021
PS Rehabilitation	\$51,000.00	Beacon Engineering	Preliminary Engineering	September 22, 2021
Pooled Lawyer	\$16,332.50	Barnes \$ Thornberg	Lawyer	October 13, 2021
Flygt Pump (Wastewater)	\$15,427.00	Xylem	Submersible Pump (Cedar Lane)	October 27, 2021
Springboard Collaborative	\$500,000.00	Sub-recipient	Pallet Shelters	May 9, 2022
AMI Proposal	\$31,000.00	Davis, Bowen & Friedel Inc	Engineering Services	July 25, 2022
<b>Total Encumbered</b>	<b>\$874,134.50</b>			

- Questions/comments posed from Council

### **B. PUBLIC WORKS SUPERINTENDENT – BOBBY FLETCHER**

#### Grounds

- Light post and light head replaced in Circle
- Repaired light bollard in Circle
- All banner brackets/poles installed on East Market Street and The Circle for Hometown Heroes banners
- Return Day bunting, banners, and American flags are up on East Market Street and The Circle
- Return Day spit, frames, racks, and spit wheel have been cleaned/painted
- Circle has been aerated, fertilized, and seeded
- Will be winterizing irrigation at The Circle, Wilson Park, and Town Hall in the weeks to come

#### Streets

- Repainted stop lines on Wagamon Avenue from repaving the street
- Edges of new street on Wagamon Avenue have been top soiled and seeded
- 115 West Market Street driveway patch hot mixed from sewer lateral repair
- Department of Elections curbing repainted yellow
- Pothole patrol/cold patching preventative maintenance
- Street sweeper out daily especially with leaves and pine shats falling

### **Water**

- Fire hydrant repaired on East Market Street and Albury Avenue
- Fire hydrant repaired Burger King Road and Bridgeville Road
- Fire hydrant repaired and moved back from the curb on the Circle and East Market Street.
- King Street lab/office has a new ductless air conditioner/heat pump has been installed
- King Street lab/office ceiling/attic area has been insulated
- Water meter register replacements are going well. We replaced 339 out of
- Thank you to Chris Lecates for her donation for the brackets to hang the Hometown Heroes banners. The banners will be hung November 14, and there will be a celebration on the Circle Saturday, November 19.
- Questions/Comments posed from Council

## **12. PUBLIC COMMENT**

Fleur McKendall,

- Commented on the conduct of members of the Georgetown Council as it relates to the Confederate Flag flying on a private organization that received funding from the Town of Georgetown

Penny Marshall

- Commented on the issue of the confederate flag flying at the Marvel Museum.

Jae Street

- Commented on the issue of the confederate flag flying at the Marvel Museum.

Richard Smith, President of NAACP

- Commented on the luncheon that Councilwoman Townsend stated she held with representatives from the community, and the NAACP related to the issue with the confederate flag. NAACP did not participate.

Dr. Terri Hodges

- Commented on the issue with the confederate flag flying at the Marvel Museum

Mark Reaves

- Commented on the issue with the confederate flag flying at the Marvel Museum

Linda Dennis, 4 Huckleberry Drive

- Commented on the need to tighten up the evaluation process for employees

Sunny Gyani

- Commented on the employee performance evaluations



- Stated whenever he goes to Town Manager Dvornick with a question, he always gets a response.

Dennis Winzenreid, Park Avenue

- Asked Councilman Barrett why he didn't help with the pallet shelters?
- Stated how Town Manager Dvornick is devoted to the Town of Georgetown and that Council's personal feelings are getting in the way of what is best for the Town of Georgetown.
- Questioned why there was a private meeting/luncheon held to discuss the issue with the confederate flag?

Clayton Townsend, 20293 Ennis Road

- Discussed how the elections in 2020 and 2022 were run.
- Discussed a resident on North Race Street that stated she complained several times to the Town Manager with an ongoing issue with the neighboring property.

Jon Peterson, 304 North Bedford Street

- Expects all of the Council to operate at the highest legal, moral, and ethical standards and Councilwoman Barlow, Councilwoman Townsend, and Councilman Barrett are not doing this. Instead, they are operating on rumor, gossip, hearsay, and slander.
- Stated a few examples of how Councilman Barrett has not been doing his job as a member of Council.
- Discussed the legal ramifications following a vote on a low-income housing project in 1994 involving Councilwoman Barlow.

Gina Green

- Asked for clarification on who attended the meeting/luncheon held by Councilwoman Townsend. Specifically, who was in attendance that represented the NAACP?  
Councilwoman Townsend: Mr. Carmean, Jim Bowden, Sue Barlow, Jane Hovington, Jeff Plummer, and Melinda Hudson were in attendance. Stated Jane Hovington was at the meeting as a resident of Georgetown and as a representative of the NAACP.

Jane Hovington, 204 South Railroad Avenue

- At the meeting held with Councilwoman Townsend, I was in attendance as a resident of Georgetown, and not as a representative of the NAACP.
- Stated how her attendance at the meeting was to discuss how she felt personally and not on behalf of any organization.
- Stated how Town Manager Dvornick has offered so much to this Town and the best thing we can do as a Town is to hold on to Gene as our Town Manager.

Ivan Neal

- Spoke on behalf of Gene Dvornick's professional involvement with this community and that Georgetown is a better place because of his employment here.

Harold Carmean

- Stated how the comments made earlier were offensive to the property owners in Georgetown.
- Tired of hearing people talk badly about this Council.
- The meeting that was held in reference to the confederate flag was held in good faith.

### 13. EXECUTIVE SESSION

Motion by Councilwoman Townsend, seconded by Councilwoman Diaz-Malone to enter into executive session at 8:40pm. **Motion Carried (unanimous)**

Town Council met in Executive Session for the purpose of discussing strategy sessions, including advice or opinion from an attorney at law, regarding collective bargaining, pending or potential litigation; and discussion of the content of documents excluded from the definition of "public record" in 29 Del. C. §10002. 29 Del. C. §10004(b)(4); (b)(6)

Exited executive session at 8:48pm.

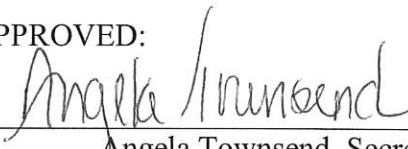
### 14. POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

None


### 15. ADJOURNMENT

Motion by Councilman Barrett, seconded by Councilwoman Barlow to adjourn at 8:48pm.  
**Motion Carried (unanimous)**

APPROVED:

  
\_\_\_\_\_  
Angela Townsend, Secretary

ATTEST:

  
\_\_\_\_\_  
Eugene S. Dvornick Jr., Town Manager

*\*These minutes are a summary of the meeting. Complete audio and visual recordings are available upon request\**