

Joint Council May 15, 2017

The regularly scheduled Joint Council meeting, comprised of the Mayor & Council of Delmar, DE and the Mayor & Commissioners of Delmar, MD, was called to order at 7:00 p.m. In attendance were Mayor Wells, Mayor Houlihan, Vice Mayor Pase, Commissioners Scholl, Morgan and Tucker, Council Members Smith, Boyan and Holmes, Clerk of Council Fisher and Town Manager Bynum-King. Absent: Deputy Mayor Unsell.

Called to Order

Mayor Houlihan called the meeting to order at 7:00 p.m.

The Joint Council performed the Pledge of Allegiance.

Mayor Houlihan announced that if anyone wanted to address the Council to please sign in at the podium for the written record.

Approval of Minutes

Vice Mayor Pase made a motion for the approval of the April, 2017 as circulated. Commissioner Scholl seconded the motion which passed with 8 ayes, 1 absent and Council Member Smith abstaining due to his absence at last month's meeting.

Public Hearing- DE- Issuance of General Obligation Bond Not to Exceed \$883,786

Mayor Houlihan read Resolution 2017-05-01 in its' entirety which would authorize the issuance of up to \$883,786 maximum principal of a general bond obligation in order to finance the costs associated with the replacement of existing 4 inch ductile iron water main with 8 inch PVC and will include a 10 foot separation from the existing sewer main along Grove Street from North Pennsylvania Avenue to North 6th Street and establish a time and place for a Public Hearing.

Mayor Houlihan said that this has been advertised for this evening for a Public Hearing and he asked for a motion to open the Public Hearing for public comments. Council Member Boyan made the motion which was seconded by Vice Mayor Pase and passed with 5 ayes and 0 absent.

Town Manager Bynum-King said that she wanted the Council to understand the project funding a little better. After the project is complete, \$662,400 of the loan principal will be forgiven. The project engineers don't believe the project will be over \$662,000. The Town still has to include the total amount of the loan for the referendum. If the project does come in under the \$662,400 amount, the State is not requiring us to pay the difference between the total funding amount and the project amount. A few years ago, the Town received \$75,000 from Representative Biff Lee who has set aside money for this project to be used for the paving portion. The paving funds will provide us the opportunity to pave more of the roadway, potentially full width of the street.

Council Member Holmes made a motion to close the public comments section of the Public Hearing. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Vice Mayor Pase made a motion to accept Resolution 2017-05-01. The motion was seconded by Council Member Smith and passed with 5 ayes and 0 absent.

Proclamation- MD- National Public Works Week

Mayor Wells read the proclamation declaring May 21-27 as National Public Works Month which acknowledged the contributions which public works officials make everyday to our health, safety, comfort and quality of life.

Commissioner Scholl made a motion to accept the Proclamation declaring May 21-27 as National Public Works Week. The motion was seconded by Commissioner Morgan and passed with 4 ayes and 1 absent.

Proclamation- DE- National Public Works Week

Mayor Houlihan read the proclamation declaring May 21-27 as National Public Works Month which acknowledged the contributions which public works officials make everyday to our health, safety, comfort and quality of life.

Council Member Smith made a motion to accept the Proclamation declaring May 21-27 as National Public Works Week. Council Member Holmes seconded the motion which passed with 5 ayes and 0 absent.

Public Hearing- MD Ordinance #733- Delmar, MD- Proposing to Adopt and Implement the budget for the period of July 1, 2017 through June 30, 2018.

Mayor Wells read the ordinance and stated that this ordinance is slated for a public hearing and asked for a motion to open the hearing up for the public comment portion. Commissioner Morgan made that motion which was seconded by Commissioner Tucker and passed with 4 ayes and 1 absent.

Mayor Wells read the highlights of the proposed MD Budget FY 17-18:

Delmar, MD Operating Budget is \$2,228,477

Delmar, MD Capital Outlay is \$185,125

Total being \$2,413,602

Mayor Wells stated that the Delmar, Maryland Commission voted to follow the Constant Yield Tax Rate set by the Maryland Department of Assessments of 0.7974, a reduction from the current tax rate of 0.8186.

Delmar, Maryland's Real Property Tax for FY17-18 is .7974,

Operating Property Tax is \$3.00 and

Personal Property Tax rate is \$2.50.

Mayor Wells said that the garbage collection fee will remain the same but as of July 1, 2017, Allied Waste will be the vendor for Delmar, Maryland. A cost of living adjustment was not included within the budget.

Hearing no public comments, Commissioner Tucker made a motion to close the public comment portion of the Public Hearing. Commissioner Scholl seconded the motion which passed with 4 ayes and 1 absent.

A motion to accept Ordinance #733 for the adoption and implementing of the budget for the period of July 1, 2017 through June 30, 2018 was made by Commissioner Morgan which was seconded by Commissioner Scholl. The motion passed with 4 ayes and 1 absent.

Public Hearing- DE Ordinance #167- Delmar, DE- Proposing to Adopt and Implement the budget for the period of July 1, 2017 through June 30, 2018.

Mayor Houlihan read the ordinance and stated that this ordinance is slated for a public hearing and asked for a motion to open the hearing up for the public comment portion. Council Member Boyan made that motion which was seconded by Council Member Smith and passed with 5 ayes and 0 absent.

Mayor Houlihan read the highlights of the proposed DE Budget FY 17-18:

Delmar, DE Operating Budget is \$1,456,260
Delmar, DE Capital Outlay is \$ 189,185
Total being \$1,645,445

Mayor Houlihan stated that Delmar, Delaware's Real Property tax will remain the same at .54 (per \$100 of the assessed value) Personal property tax will also remain the same at \$2.50(per \$100 of assessed value).

Mayor Houlihan said that the garbage collection fee will remain the same and a cost of living adjustment was not included in this year's budget.

Hearing no public comments, Council Member Smith made a motion to close the public comment portion of the Hearing. Council Member Holmes seconded the motion which passed with 5 ayes and 0 absent.

A motion to accept Ordinance #167 for the adoption and implementing of the budget for the period of July 1, 2017 through June 30, 2018 for Delmar, DE was made by Council Member Boyan and seconded by Council Member Smith. The motion passed with 5 ayes and 0 absent.

Town Manager Bynum-King reported for the Utility Commission budget for FY 17-18:
Operating Budget is \$ 1,718,924
Capital Outlay is 3,157,283
Total being: 4,876,207

The capital outlay projected for this year are the extension of water and sewer lines down Stage Road to the Perdue Agribusiness site, the sewer main replacement on Chestnut Street, the redevelopment of Well 3A, Phase II of the Grove Street water main, and the water main replacement on Poplar & 4th Streets. Some of the projects are included in the budget and are hinged on funding through MDE.

She reported that all utility rates will remain the same.

Public Hearing- MD Resolution 2017-05-15 MD CDBG Grant Application

Mayor Wells read Resolution 2017-05-15 and asked for a motion to open the Hearing to public comments. That motion was made by Commissioner Morgan and seconded by Commissioner Tucker. The motion passed with 4 ayes and 1 absent.

Town Manager Bynum-King said that the CDBG program in Delmar is dated back to the 1970's when HUD was operating the funding. The Town has helped a significant number of families and have taken sub-standard housing up to code making it so the families are in a safe and decent living environment. The conditions of some housing for some families in our community are horrible especially in this day and time. Things that the majority of us take for granted are not present in some of these homes. The program is beneficial to the community in that we can spend up to \$25,000 to rehab a substandard single family dwelling. There are income qualifications and owner occupancy requirements that the participants have to meet. There is a 5 year lien, up to 10 years in some cases, that is placed on the property. The cost is prorated over the lien period.

The Town is fortunate to be able to apply for and manage the grant program locally. Managing the program ourselves assist with netter serving the families in need in a more timely manner as funds are available.

Commissioner Scholl made a motion to close the public comment portion of the Public Hearing. Commissioner Morgan seconded the motion which passed with 4 ayes and 1 absent.

Commissioner Tucker made a motion to accept Resolution 2017-05-15 authorizing the Town of Delmar, MD to submit an application for the FY'18 Community Block Grant Housing Rehabilitation funds in the amount of \$325,000. Commissioner Morgan seconded the motion which passed with 4 ayes and 1 absent.

New Business

Resolution 2017-05-15, Delmar, DE Proposed Issuance of an Obligation Bond not to exceed \$883,786 and establishing a date and time for a Special Election

Mayor Houlihan read DE Resolution 2017-05-15 in its' entirety. The Resolution adopted on May 1, 2017 gave notice of the Town of Delmar, Delaware's intention to borrow up to \$833,786 and established the date and time for a public hearing to be scheduled earlier this evening, which it was.

The Special Election will be held on Tuesday, June 20, 2017 from 2:00 p.m. to 7:00 p.m. at the Delmar Fire Hall. At the Special Election, every person who would be entitled to vote at a biannual election if held on that day shall be entitled to one vote.

Council Member Smith made a motion to accept Delaware Resolution 2017-05-15 as read. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Town Manager's Report

Town Manager Bynum-King said that she is working on making some revisions to the business license applications. The language currently does not require an inspection of the business prior

to the license being issued or an annual inspection once the business is in operation. The need to make revisions to the business license application was due to a recent code violation for debris and inoperable vehicles on the property of an existing business. It was also brought to our attention that there were multiple businesses within the building. The activity happening as the business is not consistent with the business license or the zoning code. Town Manager Bynum-King expressed the need to incorporate an annual inspection into the business license requirement to ensure the operating business is consistent with the business license. She will be working with both Town Attorneys to make the necessary amendments to require an annual inspection to the existing business license ordinance. The Town Manager said that it is better to address this sooner rather than later.

Council & Commission Comments

Commissioner Morgan asked about The Day in the Park and what would be the Elected Officials responsibilities. Mayor Houlihan responded that the event is from 10 a.m. to 6 p.m. but those who are going to be setting up should get their earlier. He said it would be nice if we could set up some time blocks so everyone can have some time interacting with the residents. Mayor Houlihan said that he didn't think they had to stay the whole time; suggesting that maybe 3 or 4 p.m. at the latest. The Town Manager stated that the time in the booth goes by quickly.

Mayor Houlihan was pleased that, based on the budget cycle, we finally get to upgrade the playground equipment at State Street Park.

He said that last Wednesday night he attended the Town Hall meeting at the Delmar Fire Dept. with the Governor and Delaware representatives. He stated that he has sympathy for the new Delaware Governor. In the first few days of Office, the riot occurred resulting in the death of a correctional officer at the James T. Vaughn Correctional Center in Smyrna, a Delaware State Trooper got shot, now he's facing educational budget cuts. Representative Tim Dukes has been fighting with the General Assembly to leave the educational funds alone. He said that he has to make the best choice out of all the bad choices. There were suggestions at the meeting for implementing a sales tax and legalizing marijuana. Mayor Wells said that she is worried that with the educational budget cuts that the Bi-State Agreement might be in jeopardy due to Delaware not being able to handle the incoming Maryland kids.

Town Manager Bynum-King said it was brought to her attention that 6th Street, next to State Street Park has been flooding. She was informed by a resident the flooding issues had been happening for a long while. She apologized that the Town hadn't been able to resolve the flooding issue in a reasonable timeframe. She said she had a meeting scheduled on Friday with the public Works Director and Foreman to gain an understanding why the matter had not been addressed. She did have a brief discussion with the Director of Public Works about the matter, and there was concern that the storm drain line had collapsed. A collapsed line would be the worst case scenario, hopefully it is just clogged. The drain line runs between 6th and 7th Streets to the rear of adjoining property boundaries. She said she mentioned to the Director of Public Works to have Clarks Environmental Services televiser the line. If it is determined the line is collapsed, then we will need to have the easements researched to gain access to the properties involved.

There were discussions about easements and alleys in the surrounding area and how possibly the home owners are not aware of what they can and cannot do on their property. She said that the drainage problem has been going on long enough and this matter should have been resolved by now.

Council Comments

Mayor Houlihan thanked Town Manager Bynum-King and Financial Officer Chandler for their assistance in the budget process.

Adjournment

Council Member Boyan made a motion for adjournment which was seconded by Commissioner Scholl. The motion passed with 9 ayes and 1 absent.

Submitted by:

Cindy Fisher
Clerk of Council