

MAYOR & COUNCIL

September 5, 2017

Mayor Houlihan called the regularly scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. In attendance were Vice Mayor Pase, Council Members Holmes and Boyan, Town Manager Bynum-King, and Clerk of Council Fisher. Absent: Council Member Smith. Guests: Delmar Police Chief Barkley, Gloria Murray and Terrance Burns and several members of the New Life Commission.

The Mayor and Council performed the Pledge of Allegiance.

Mayor's Comments

Mayor Houlihan welcomed everyone to the meeting and asked anyone who would be addressing the Council this evening to sign in at the podium.

He said that via email, he was informed that Council Member Smith was called into work this evening.

Yesterday, September 4th, was the 150th anniversary of St. Stephen's UMC. Both he and Mayor Wells attended the celebration.

School started today and the first Friday night football game is this Friday.

Oath of Office-

Mayor Houlihan said that Jessica Webb was to be given her Oath of Office this evening to serve on the Parks and Recreation Council. She is actually on vacation so the Oath will be administered next month.

Proclamation- Constitution Week

Mayor Houlihan read the Proclamation declaring September 17th through September 23rd as Constitution Week. Vice Mayor Pase made a motion to accept the Proclamation declaring September 17th through September 23rd as Constitution Week. Council Member Boyan seconded the motion which passed with 4 ayes and 1 absent.

Approval of Minutes

Council Member Boyan made a motion to approve the August minutes as circulated. Council Member Holmes seconded the motion which passed with 4 ayes and 1 absent.

New Business

Resolution 2017-09-05 - Approval of Town's SFY ORPT Application for Submittal

Mayor Houlihan read Resolution 2017-09-05 which states the Mayor and Council approves the Town's Outdoor Recreation Parks and Trails (ORPT) application for submittal in the amount of \$20,000 which will be matched by the \$20,000 allocated from the FY18 funds as a match. The Town assures that park grounds and acquired equipment will be maintained in accordance with the mandated grant award provisions and conditions. The Town will also be doing ADA improvements in the parks as well.

Vice Mayor Pase made a motion to approve Resolution 2017-09-05 which was seconded by Council Member Boyan. The motion passed with 4 ayes and 1 absent.

Ordinance # 168- To amend the zoning ordinance of the Town of Delmar to amend the definition of “Board” in Section 2, to amend Section 10 to permit warehouses and wholesale distributors as uses permitted by special exception in Community Business Districts; to amend provisions in Section 24 as to signs and to amend Section 26 as to site plans.

Mayor Houlihan read the introduction to the Ordinance as its’ First Reading. The Public Hearing is scheduled for October 2, 2017 at 7:15 p.m.

Council Member Boyan, who is also the Chairman of the Planning and Zoning Commission, said that the Commission just reworked some of the wording and cleared up some of the meanings. The biggest change was with the warehouses and wholesale distributors in Community Business as an inherent use. The Commission decided that it would be best to have warehouses and wholesale distributors in the Community Business Districts as a Special Exception.

Another wording change made by the Commission was that which included the size of signage. The wording was changed to “...shall not exceed one (1) square foot for each lineal front foot of the building surface”. Planning and Zoning was in agreement to the changes and to the wording of the rest of the Ordinance.

Vice Mayor Pase made a motion to accept the First Reading of Ordinance #168 with the Public Hearing scheduled for Monday, October 2, 2017. Council Member Boyan seconded the motion which passed with 4 ayes and 1 absent.

Ordinance # 169- Adoption of the 2015 International Building Code.

Mayor Houlihan stated that they would have to table the First Reading of Ordinance # 169.

Resolution 2017-09-05.1- Setting the date and time of the Public Hearing for the adoption of the 2015 International Building Code

Mayor Houlihan stated that this too would have to be tabled.

Committee Reports:

Police Chief’s Report

Chief Barkley said the Department is in the Back to School mode. They will have a few extra units working with school bus and student safety. They are prepping for Heritage Day and also paying close attention to the weather updates. They are working in conjunction with Emergency Services.

Mayor Houlihan said that he is still getting positive responses from the National Night-Out event.

Code Enforcement Officer Report

Mayor Houlihan said that the reports from both the full time and part time Code Enforcement Officers are in the mail packets.

Fire Department Report

No one was present to give a report. Mayor Houlihan did say that he has seen advertising for their Sportsman’s

Give-Away which will take place the first Saturday in November.

Utility Commission

Town Manager Bynum-King said that the Utility Commission meeting was very brief. The contractors for the back-up well project were on-site today. The bid opening for the Energy Water Infrastructure Program will take place tomorrow (Wed. Sept. 6th) at 3:00 p.m., which is for the upgrading of the Pine Street Pump Station. Also, the engineers are still working on the GIS of the water distribution system for the Assessment Management Project.

She said that next week the interviewing process will start for the opening at the Waste Water Treatment Plant. She said that it was impressive that 4 of the 5 scheduled for interviews already have their 5A license.

Public Works

Mayor Houlihan said that the report is included in the mail packets.

Planning & Zoning

Council Member Boyan reported on the following:

Gloria Murray- 603A Bi-State Blvd. Delmar, DE, renovation and tenant fit-out for childcare learning facility- use permitted by Special Exception in Community Development District.

Mrs. Murray stated that she needs permission due to the parking situation. She has spoken with the pastor next door and he stated that the parking for the daycare facility would not interfere with the operations of the church. She said using the parking area that is located on the side of the building would be perfect so the parents and children would not have to cross the street coming and going. She said that she also has spoken with the fire marshal and has filled out the application with him.

Vice Mayor Pase made a motion to accept the Planning and Zoning's favorable recommendation to the Delaware Board of Adjustments for Gloria Murray to go before them for a Special Exception to have a daycare facility in a Community Business District. Council Member Holmes seconded the motion which passed with 4 ayes and 1 absent.

Mayor Houlihan informed Mrs. Murray that he also sits on the Board of Adjustments. Because she is asking for a Special Exception, she would have to prove a hardship; one of which cannot be financial. It will be a public hearing and will be advertised in the newspaper. It will probably be sometime in October. The property will be posted and she can bring people to testify on her behalf. She can also provide letters of support. He suggested that she definitely bring something in writing from the church.

Town Manager's Report

Town Manager Bynum-King reminded the Council that the end of year audit will take place this month, on Monday, September 11th. She is asking for patience with the administrative staff since they will be the ones working with the auditors.

Heritage Day is September 16th. It is an all-day event and she is asking for all hands on deck. Hopefully the weather will work in our favor.

She reminded the Senior Citizens that they receive a 5% discount on their property taxes if paid on or before September 30th.

Town Manager Bynum-King said that last week she, Mayor Houlihan and Community Development Coordinator met with the potential developers of the Mills Building. It looks promising and the developers are working on some of the final details. She said that she left the meeting feeling encouraged. She informed Police Chief Barkley that she wants to schedule a meeting with him and Mr. Davis in reference to the old pawn shop.

She informed everyone that the revisions to the building permit are almost ready for the first draft.

Mayor Houlihan said that Heritage Day is a Joint Council event. The staff will not be manning the tables. The staff has done everything to get the event ready and it's up to the Elected Officials to man the tables. He said that he has spoken with Mayor Wells and between them, they will figure out the times that everyone can be there. He wants the representation from the Elected Officials to be spread out through the whole day. The event ends with fireworks usually at dusk.

The tug-of-war starts at 9:30 which, according to Town Manager Bynum-King will be a little different this year. There will be a registration for the tug-of-war with only 20 people on each side. The winners will be given individual medals for participating.

Council Comments

Vice Mayor Pase cautioned everyone to be careful now that school is back in session. Watch out for the children walking as well as the teenagers driving back and forth to school. She is working with the church collecting clothing for the hurricane victims.

Mayor Houlihan offered his thoughts and prayers to those along the Texas and Louisiana coastline.

Public Comments

The remaining members of the public were from a new ministry in Delmar, DE. A few of them work for Chesapeake Health Care, formally known as TLC. They will be setting up a table at Heritage Day and will be giving out informational flyers.

Terrance Burns introduced himself and members of his ministry, New Life Commission. He stated that he serves as a Comprehensive Plan reviewer for the State of Delaware, another member present works for the Department of Agriculture and another member works for DelDot. He said that he has spoken with Community Development Coordinator Hardin and informed him that either he and/or members of his ministry will be attending the Town's meetings. He wants to get the word out to the congregation on what is happening in the Town.

Mr. Burns said that they are more than willing to volunteer in any form for Heritage Day. They are here to support the Town any way they can. Mayor Houlihan welcomed all of them to the community.

Adjournment

Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Boyan. The motion passed with 4 ayes and 1 absent.

Submitted by:

Cindy Fisher
Clerk of Council