

**MAYOR & COMMISSIONERS**  
**September 11, 2017**

Mayor Wells called the scheduled meeting of the Mayor & Commissioners of Delmar, Maryland to order at 7:00 P.M. In attendance were Mayor Wells, Deputy Mayor Unsell, Commissioners Scholl and Morgan, Town Manager Bynum-King, Town Attorney Benson and Clerk of Council Fisher. Absent: Commissioner Tucker Guests: Delmar Police Lt. Alexander, Planning and Zoning Commission Member Beverly Wilson, Tim Brooks, Douglas Carey and Ryan Poe.

**Call to Order**

The Maryland Mayor and Commissioners performed the Pledge of Allegiance. Mayor Wells thanked everyone for attending this evening. She wanted everyone to keep the date of 9-11 in their thoughts and prayers for everyone affected by that tragedy.

**Oath of Office- Delmar Parks and Recreation Council**

Mayor Wells administered the Oath of Office to Ryan Poe and Doug Carey as members of the newly restructured Parks and Recreation Council.

**Mayors Comments**

Mayor Wells informed everyone that Commissioner Tucker is not here this evening. He is coaching a football team tonight. She also informed everyone that the deadline for candidate filing for the upcoming Delmar, Maryland Primary Election was today. Only the incumbents filed so there will not be a Primary Election. The General Election will be held on November 21, 2017.

Mayor Wells said that she has spoken with Mayor Houlihan in reference to the upcoming Heritage Day. They are asking for the Elected Officials to man the tables during the event. The Administrative staff does so much to set up the event. She also stated that she knows everyone has kids and all day may not be suitable for everyone. Town Manager Bynum-King said that anything and any time the Elected Officials could volunteer would help tremendously.

Mayor Wells reminded everyone that the Homecoming Parade is October 7<sup>th</sup>. The Elected Officials are usually asked to be in the parade, so everyone keep that date open if possible.

**Approval of Minutes**

Deputy Mayor Unsell made a motion to approve the August, 2017 minutes as circulated. Commissioner Morgan seconded the motion which passed with 4 ayes and 1 absent.

**Unfinished Business**

Commercial Development Plan for Warehouse for Frito Lay- Change in Concept Plan

Town Manager Bynum-King asked that this discussion be tabled due to no one being present to answer any questions. Commissioner Scholl made a motion to table this discussion this evening. Deputy Mayor Unsell

seconded the motion due to no one being available to answer questions. The motion carried with 4 ayes and 1 absent. Town Manager Bynum-King said that notification will be sent to the petitioner to let them know this discussion was tabled.

### **New Business**

#### First Reading- Ordinance # 735- Amending the Zoning Code

Town Attorney Robert Benson stated that Ordinance 735 is to amend the zoning code. The initial intent was to present this Ordinance just to amend Section 10 to permit warehouses and wholesale distributors as a special exception in the Community Business District. The Planning and Zoning Commission along with other Staff members suggested that there are other Sections that needed to be re-worded so they are now part of this Ordinance. This has gone before the Planning and Zoning Commission and received a favorable recommendation with a few wording changes.

Town Attorney Benson said that this is here for the First Reading and if passes, would be advertised for a Public Hearing to be scheduled for the October 9, 2017 meeting. Commissioner Morgan made a motion to accept the First Reading of Ordinance # 735. Commissioner Scholl seconded the motion which passed with 4 ayes and 1 absent.

#### First Reading- Ordinance # 736- Adoption of 2015 International Building Code

Town Attorney Benson said that Ordinance 736 is slated to have the first reading tonight. It is intended to adopt the current International Building Code. Currently the Town is using the 2000 version of the International Building Code. If adopted on the First Reading, it will be advertised for a Public Hearing which will be scheduled for the October 9, 2017 meeting.

Town Attorney Benson said that this was recommended by the Code Enforcement Officer. If there are any changes to be made to the Ordinance it would be done by him and done prior to the Public Hearing. Deputy Mayor Unsell made a motion to accept the First Reading of Ordinance # 736. Commissioner Scholl seconded the motion which passed with 4 ayes and 1 absent.

#### First Reading- Ordinance # 737- Allowing the Delmar Police and Code Enforcement to take custody and remove inoperative vehicles to Storage Areas Designated by the Town

Town Attorney Benson stated that the Town does have an abandoned vehicle ordinance on the books but it only lets the Police Department take possession and order the removal of abandoned vehicles. It is his understanding that there is an outside agreement with outside vendors to have the vehicles towed and stored. The Code Enforcement Officer will be dealing with this situation on a day by day basis and that is why they were included in this revised ordinance. It does not remove the Police Department.

He stated that Ordinance # 737 was here this evening for a First Reading and if adopted it will be advertised for a Public Hearing for the October 9, 2017 meeting. Deputy Mayor Unsell made a motion to accept the First Reading of Ordinance # 735. Commissioner Morgan seconded the motion which passed with 4 ayes and 1 absent.

### **Student Advisory Report**

Mayor Wells said that with school just starting there might not be anything to report. Hopefully Ms. Patel will be here next month with a report of how things are going.

### **Police Chief's Report**

Lt. Alexander from the Delmar Police Department was present to give the report in the Chief's absence. He stated that Chief Barkley is at a week-long conference. There is nothing new to add to the report that was included in the mail packets. They have started the School Bus Safety Enforcement by scheduling 2 hour blocks in the morning so they can stretch out the grant funding hopefully throughout the school year.

Lt. Alexander explained that the School Bus Safety Enforcement main focus will be patrolling the bus routes and preventing cars from passing the busses while picking up and dropping off the school children.

### **Code Enforcement Officers Report**

Mayor Wells reviewed both reports that were included in the mail packets.

### **Fire Department Report**

No one was present to give a report.

Mayor Wells asked the Town Manager about the blue reflectors. She responded that it was included in last fiscal year's budget. The check has been issued, but she has heard nothing back from the Fire Department regarding their plans to purchase and install the reflectors.

### **Utility Commission Report**

Deputy Mayor Unsell reported that last Tuesday, the contractors started work on the back-up well project. The Pine Street Pump Station has been upgraded. Interviews will take place this week for the open position at the Waste Water Treatment Plant. Four out of the five applicants already have their 5A water license. The phone system has been installed at the water plant. One of the water operators has been out for surgery and he returned to work on the 7<sup>th</sup>.

### **Public Works Report**

Karen Wells reviewed the report that was included within the mail packet.

### **Planning & Zoning Report**

Planning and Zoning Commission Member Wilson reported on the following:

#### Timothy Brooks- Clear View Enterprises- 8999 Ocean Highway, Unit D, Delmar, MD- Sign Approval

Mr. Brooks stated that Clear View Enterprises is in the poultry animal health business. They are asking for a sign on the front of the old G&M building that is actually smaller than the sign they removed and another sign at the entrance. They have cleaned out the building. All products that will be in the warehouse will be for animal consumption. There will be 2 employees in the warehouse and 1 salesman. There will be a truck delivery every 2 weeks. Other traffic might be from individuals from Perdue or Allen Harmin to pick up some needed supplies prior to their delivery. FedEx will be dropping of packages from time to time.

Planning and Zoning Member Wilson said that Planning and Zoning gave a favorable recommendation for sign approval for 2 signs at Clear View Enterprises located at 8999 Ocean Highway, Unit D, Delmar, MD per the attached drawings with the condition that the entrance sign does not exceed the height of the existing real estate sign in the same location.

Commissioner Scholl made a motion to accept the recommendation from Planning and Zoning for 2 signs at 8999 Ocean Highway, Unit D, per the attached drawings and with the condition that the entrance sign does not exceed the height of the existing real estate sign. Deputy Mayor Unsell seconded the motion which passed with 4 ayes and 1 absent.

### **Town Manager Report**

Town Manager Bynum-King informed everyone that the auditors are onsite and will be for the next few weeks for the end-of-year audit. Interviews will take place this week for the vacant wastewater treatment plant operator position. Heritage Day is this Saturday and anyone who can provide assistance is welcome to volunteer.

She stated that Delmar, Maryland senior citizen residents can qualify for a 5% discount on their property taxes if paid on or before September 30, 2017. The Town Manager informed the Mayor and Commissioners that she is still working on the revisions to the building permit applications. It is still in the draft stage. There will be multiple permits for different purposes instead of a “one size fits all” application.

Town Manager Bynum-King said that we are still compiling information on the abandoned properties in Town. They have worked up a protocol to use. Once water readings are completed, the Municipal Clerk will be able to see how many and which properties have zero water usage. That information will be given to the Code Enforcement Officer who will send a letter to the property owner notifying them of the Town’s vacant building ordinance and that they need to comply. The Town has a policy that if a property has remained vacant for more than a year, it will lose all grandfathered privileges along with any special exceptions and variances. This is just another means to get information out to property owners and to get better tracking of information of vacant buildings in Town.

Anyone interested in attending the L.E.S.M.A. meeting will need to contact the Clerk of Council soon. The deadline for RSVP’s is this Thursday, September 14<sup>th</sup>.

Town Manager Bynum-King informed the Commission that the Public Works Clerk has been working with State Highway to clean the ditch on Bi-State Blvd. for quite some time. They have now cleaned out that ditch. She is now working with them with the drainage issue on State Street from 10<sup>th</sup> to 12<sup>th</sup> Street, to get them to clean out that ditch as well. There was some conversation about the standing water at the intersection with the stop light on Bi-State and State Streets. The Town Manager said that she will be asking the Public Works Clerk to see about getting that intersection drained as well. Our street-sweeper is being used to clean out some of our drains. Some of them that are severely clogged, are being outsourced for cleaning.

### **Commission Comments**

Commissioner Scholl stated that he is looking forward to Saturday and Heritage Day. He will have his kids with him as he volunteers.

Deputy Mayor Unsell said that he will be at Heritage Day for a few hours. He also spoke about the upcoming E.S.A.M. meeting.

Commissioner Morgan said that he is looking forward to Saturday. He said that he also is looking forward to a tour of Conveyors and Plastics on Connelly Mill Road.

**Public Comments**

Resident Ryan Poe spoke about the thefts that have been happening in the Community. He said it's probably due to the heroin addiction problem. It's just a shame but we as a Community can only do what we can do. He spoke about an app on his phone called the Next Door app. It is a social network for people who live next to each other and in your Community.

Lt. Alexander said one of the concerns the Police Department has is that when a resident sees something weird or out of place, they don't call the Police right then and there. You need to call the Police as soon as you notice something strange or out of place.

Resident Beverly Wilson said that the construction of the Library is continuing but right now they are about a month behind schedule.

She also informed the Commission that the Delmar Library will be hosting a Mystery Dinner Theater at the Laurel Fire Department on October 14<sup>th</sup>.

**Adjournment**

Commissioner Scholl made a motion for adjournment which was seconded by Deputy Mayor Unsell and passed with 4 ayes and 1 absent.

Submitted by:

Cindy Fisher  
Clerk of Council