

MAYOR & COUNCIL

February 5, 2018

Mayor Houlihan called the regular 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 Smith, Boyan and Holmes, Delmar Police Chief Ivan Barkley, Sr., Town Manager Bynum-King, and Clerk of Council Fisher. Guests: Gary Spence, Douglas Wright, Charlie Towers and Chad Eyler.

Mayor's Comments

The Council performed the Pledge of Allegiance. Mayor Houlihan asked if anyone was to be addressing the Council to please sign in for the record at the podium.

He thanked the Council Members who attended the grand re-opening of McDonald's on Saturday. They gave a tour of behind the scenes at the restaurant. They are very high tech. The owner told him that they are doing far better than they originally expected.

Approval of Minutes

Council Member Boyan made a motion to accept the January, 2018 minutes as circulated. Council Member Holmes seconded the motion which passed with 4 ayes, 0 absent and Council Member Smith abstaining due to his absence last month.

Committee Reports:

Student Advisory Report-

While there was no one from the high school to give a report, Mayor Houlihan said that the school had a beef and beer function at the V.F.W. last week to help raise funds to purchase the State Championship rings for the boys' football team. At the same time was a silent auction as well as a regular auction. The Mayor said that they needed to raise \$12,000 to buy the rings. They actually raised \$16,000 that evening, so they were able to raise money not only for the purchase of the boys' football state championship rings but to also finish paying off the purchase of the girls' field hockey state championship rings.

Police Chief's Report

Chief Barkley reported that there was not a lot happening in the month of January. He informed the Council that the Police Department is issuing a lot of citations in response to several resident's complaints about certain problem areas.

The Town has another person breaking into vehicles. He said no matter how often it happens, people still will not lock their vehicles.

Chief concluded by saying that the newest K-9 is here and will start training this month. She will be a dual purpose dog- for patrolling and for narcotics.

Mayor Houlihan reviewed the report that was included within the mail packets.

Code Enforcement Officer Report

Mayor Houlihan reviewed the report included within the mail packets. Town Manager Bynum-King said that last month the Mayor and Council passed an ordinance involving the towing and storing of vehicles. The Town has entered into a contract with Passwater Towing Services who are from Seaford, DE. They will be providing the towing of vehicles that are in violation of our ordinance. They have been in business for a while and are currently towing for the City of Seaford. No one seems to want to get in the business involving municipal infractions. The Town Manager said that she has a meeting scheduled with a towing company from the Maryland side. If they are not interested, Passwater Towing already has a Business License that would allow them to work both sides of Town and State Line. They would be towing vehicles that are on properties and are in violation of our ordinances.

Town Manager Bynum-King said that our Code Enforcement Officer is still out on medical leave. We are unclear about his recovery time.

Fire Department Report

No one was present to give a report and there was not one included in the mail packets. Mayor Houlihan said that Delmar Fire Department former Chief Manson Jones lost his wife to cancer last month. He also mentioned the passing of Stanley Pete, Sr.

Utility Commission

Vice Mayor Pase reported that the back-up well is up and running. The Pine Street Pump Station upgrade project has been approved by MDE and the Town is waiting on the contract.

She said on January 30th, the Waste Water Treatment Plant experienced a spill around the clarifier. An outside skilled source was called in to help in the clean-up. The State has been notified.

Public Works

Council Member Smith reviewed the report that was included within the mail packets.

Planning & Zoning

Council Member Boyan reported on the following:

Charlie Towers- Sign Approval for Atlantic Pawn- new location at 605 N. Bi-State Blvd., Delmar, DE

Mr. Towers stated that the front portion of the building that Atlantic Pawn was located in has been sold to a liquor store. The deal to sell the front of the building was made 5 months ago and all this time Atlantic Pawn has been looking for a location big enough and suitable for its' new store. They found nothing that really suited them, but time was running out at their old location so they signed a lease with the location at 605 N. Bi-State Blvd. It's not their ideal location but they are still looking for a larger building to accommodate them. Mr. Towers said that he will be using the same exact lettering that he took off the previous building and wants to put it up on this new location.

Council Member Smith made a motion to accept the favorable recommendation from Planning and Zoning for the signage for Atlantic Pawn now located at 605 N. Bi-State Blvd., Delmar, DE, per the attached drawings. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Charlie Towers- Sign Approval for Wilgus Insurance and Atlantic Finance located at 10977 State Street, Units 1 and 6, Delmar, DE

Continuing with the story about Atlantic Pawn and the selling of their location, Mr. Towers explained that now Atlantic Finance has no signage. They were located inside Atlantic Pawn when they were at the State Street location. Since he knows he cannot put another sign on the pole outside since it has been grandfathered in, he is asking to be able to change out the graphics on the sign to include both businesses.

Council Member Holmes made a motion to accept the favorable recommendation from the Planning and Zoning Commission for new signage for Atlantic Finance and Wilgus Insurance located at 10977 State Street Units 1 and 6, Delmar, DE, per the attached drawings.

Doug Wright- Delmar Lions Club- Refurbish the graphics on the street signs for the Delmar Lions Club, located at the Old Mill Restaurant, M&T Bank and Bryan & Brittingham, Delmar, DE

Mr. Wright said that they used to have a sign outside the Old Mill Restaurant but then one winter it was snow plowed under. It hasn't been replaced. They would want to attach their Lions Club sign to the Welcome to Delmar sign in that location.

Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for new graphics on the Lions Club signs located outside M&T Bank, Bryan and Brittingham and on the "Welcome to Delmar" sign outside of the Old Mill Restaurant, Delmar, DE, per the attached drawings. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Gary Spence- Phillips Signs- Sign Approval for The UPS Store located at 38660 Sussex Hwy., Unit 10, Delmar, DE

Mr. Spence said that The UPS Store will be located within Shayona Pharmacy and will not have a separate entrance. According to UPS regulations, they have to have a separate sign.

Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for new signage for The UPS Store located at 38660 Sussex Hwy. Unit 10, Delmar, DE, per the attached drawings. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Chad Eyler- Approved for revised graphics on doors and windows for Auto Equity Loans located at 31010 Thornton Blvd., Delmar, DE

Mr. Eyler said that he has supplied the Council with the revised graphics. He was told by the Planning and Zoning Commission that the window and door graphics could not have the name of the business on them or they would constitute another sign and that would be more than allowed by regulations.

Council Member Holmes made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the revised graphics for the windows and doors of Auto Equity Loans located at 31010 Thornton Blvd. Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 5 ayes and 0 absent.

Mayor Houlihan summarized the Delaware Board of Adjustments meeting that was held in January for the Council. The petitioner had wanted a property line change to allow his neighbor to park his vehicles in his yard and not on the street. The Board of Adjustments did allow that variance request.

Town Manager's Report

Town Manager Bynum-King stated that she has been contacted by the new Director of the Economic Development Office and they have scheduled a meeting for next Tuesday, February 13, 2018. They will be discussing a new loan program Sussex County is offering to their municipalities for economic development. The loans can be as high as \$4 Million with an interest rate of 3.9%. She will be getting more information at the meeting and it can be discussed at the budget workshop.

The Town is in receipt of the Agreement from the Delaware Department of Transportation for the Delmar Library parking lot paving project. The contributions for this project came from Senator Bryant Richardson and Representative Dukes. All the documents have been signed and sent back to DelDot for further processing. The Town is the actual recipient of the funds which we will administer to the Delmar Library.

The Town is actively looking for a Public Works laborer position and a Wastewater Operator. The Town just hired a Waste Water Operator but he has developed some health challenges and now has an operation scheduled for this Friday. He is still in his probationary period. He decided that it was best if he walked away from his position since he was still in his probationary period. The Town Manager said that she made him aware that it will take some time to find another operator with a 5A license. If, by the time he has his operation and completes his rehabilitation, and he wants to come back to work at the Town, we would entertain bringing him back.

The Public Works laborer position is an entry labor position.

The budget workshop is scheduled for February 28th at 6:00 p.m. This is where the Department Heads will present their capital projects for this fiscal year. On the 19th of February, the Offices and services will be closed for President's Day.

The Town Manager informed the Council that the Town is working on a skeleton crew. With the Code Enforcement Officer out, the Community Development Coordinator is picking up his duties along with his own. The front office is trying to answer as many calls as possible for code enforcement to alleviate some of the burden of the CDC personnel. Public Works is quite busy and is only working with 2 laborers and the Clerk performing daily water testing and weekly grabs throughout Town.

Town Manager Bynum-King stated that she wanted to inform the Council Members that the Town sent out a letter to the developer of Yorkshire Estates, Doug Marshall, informing him that there are still outstanding items on the punch list for Phases I and II of Yorkshire Estates that need to be tied up. For Phase I, a final review needs to be done so that we can get a recommendation to accept the utilities and streets from our engineers. The items in Phase II need to be done plus we are waiting for the 5% maintenance bond for Phase 2A. One of the conditions in the letter states that if he does not resolve these issues or come up with a plan of action within a certain time frame, the Town will not be issuing CO's. The letter was also sent out to Mr. Schaffer with Ryan Homes so he would be informed about the pending conditions assessed to the developer, Mr. Marshall. Town Manager Bynum-King said that the Town holds every other developer to that standard, Mr. Marshall should be accountable as well.

Commission Comments

Council Member Smith said that he is glad that the letter is being sent out to Mr. Marshall and glad that he is able to be here this evening.

Council Member Boyan said that Salisbury will be hosting a Folk Festival in September where over 100,000 people are expected to attend.

Vice Mayor Pase informed everyone that the High School will be holding its' Gala on March 10th. She'll have more information about it at the March meeting.

Public Comments

There was a Boy Scout in the audience working on one of his merit badges. The topic was the open line of communications between the Town and the citizens.

Adjournment

Vice Mayor Pase made a motion for adjournment which was seconded by Council Member Holmes. The motion passed with 5 ayes and 0 absent.

Submitted by:

Cindy Fisher
Clerk of Council