

MAYOR & COUNCIL

August 6, 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, Town Manager Bynum-King, Delmar Police Chief Barkley and Clerk of Council Fisher. Guests: Beverly Wilson, Chris Brown, Jerry McClymont and John Foley.

Mayor's Comments

Mayor Houlihan asked anyone who would be addressing the Council to please sign in for the written record. He thanked Vice Mayor Pase and Council Member Smith for filling in for him while he was on vacation.

Mayor Houlihan informed the Council that he, Town Manager Bynum-King and Representative Dukes met with Sussex County Council and made an appeal to them to partner with the Town and the State on the water and sewer main project along Stage Road in the Highway Regional Zoning District on Rt. 13 North. The County agreed to match the \$125,000 contribution from the Town toward the project construction costs. The Town is very fortunate that this has happened.

Approval of Minutes

Council Member Smith made a motion for the approval of the July, 2018 minutes as circulated. Council Member Boyan seconded the motion which passed with 3 ayes, 0 absent and 2 abstaining due to their absence last month. (Mayor Houlihan and Vice Mayor Pase).

Unfinished Business

Town Manager Bynum-King stated that there was a property on Delaware Avenue that had an open pool in which neighbors had been complaining about it being a breeding ground for mosquitoes. It was professionally covered and the problem of stagnant water has been resolved.

New Business

The Town Manager informed the Mayor and Council that the Town had received a letter from the State informing us that for fiscal year 2018 we have been allocated \$41,600; the Town's share of the States Municipal Street Aid Program. The Town allocation is based upon total municipal street mileage and the funds are to be used for municipal street maintenance.

Committee Reports:

Student Advisory Report

There was no one to give a report but Mayor Houlihan said that fall practice starts on Wednesday, August 15th.

Police Chief's Report

Chief Barkley reported that the Town did experience one suicide this past month. The Town also had one overdose death. There have been several thefts from vehicles all over Town, usually from unlocked cars. He said that the Police Department is working on a media blitz to advise the community to lock their cars and to remove valuable

items from their vehicles. There have been thefts in the Salisbury area as well, the thieves are mobile and travel around.

Chief Barkley continued by saying that there was a purse theft at Food Lion. Upon leaving the store, a lady left her purse in the shopping cart. A young man used the card that was inside the purse and was caught and arrested.

He thanked everyone for coming out to their Blue Light Night Out event at State Street Park. They had a great turnout and they are looking forward to doing it again next year.

He informed Vice Mayor Pase that a concern she had about traffic and if there was any place to put up a speed limit sign. He did manage to send an Officer over in the new Tahoe and he stopped a couple of vehicles for speeding. They are still working on the situation.

Council Member Smith thanked the Chief for the hard work that went into the Blue Light Night Out.

Parks and Rec. Report-

Council Member Boyan asked how he should report broken items in the park instead of calling Town Hall all the time. He said that there is a broken electrical outlet at State Street Park on one of the yellow posts towards Sixth Street. Town Manager Bynum-King informed Council Member Boyan to continue to call Town Hall. The Administrative Staff will fill out the appropriate paperwork and forward it to the correct department. He could also call Public Works directly, they have staff there during the day. Council Member Boyan also said that there is standing water in the water fountain at State Street Park.

Vice Mayor Pase informed the Town Manager that cars are still being parked on the grounds at State Street Park when someone rents the pavilion. Town Manager Bynum-King said that Public Works was supposed to put up a chain to stop that from happening, but she would follow up with them.

Town Manager Bynum-King said that the Bi-Laws for Parks and Rec. are in the mail packets for their review. They will need to be voted on next month and the Mayor and Commissioners will need to vote on them as well.

She said that the Parks and Rec. members are anxious to start programs and host events, however she is encouraging them to use their first year of being re-established to get acclimated to their responsibilities and they can start planning their events for next spring and summer. It is easy to say "Let's do this or that", but it's hard to pull volunteers together to get it done. They are excited about moving forward so good things should be coming next year.

They are very interested in a Community Garden. The Town has property on the Maryland side by Gordy Park which we secured through a tax sale. But the property is kind of hidden so she suggested that Parks and Rec. use the south side of the old police department building. They will be using raised planters which will be facing the park area and will be well lit and safer. Water is already on the property.

Council Member Boyan informed the Council that if the Parks and Rec. Council wanted to move forward with a movie night, he would be able to help with the sound system.

Council Member Boyan asked about the new equipment for the Tot Lot and why the old equipment was removed before the new was installed. Town Manager Bynum-King said that the new equipment was supposed to be ready

to be installed. When we ordered the new playground equipment, there was a mix-up in the ordering schedule and in the number of weeks that it took to arrive. The equipment has arrived and the installers will be doing them shortly.

Code Enforcement Officer Report

Mayor Houlihan reviewed the report that was included within the mail packets. Town Manager Bynum-King said that the new Code Enforcement Officer is still in training and is doing very well. She has been dealing with grass and debris and vehicle violations along with getting the abandoned houses registered. This year the Town is starting a new protocol with the rental inspections. Any structure that has 6 or more units will be inspected in the even years and the single family units and the properties with less than 6 units will be inspected in the odd years. Payment for the rental license fees will be required annually. The inspection period will be from September through November.

Fire Department Report

No report was provided in the mail packets and there was no one present at the meeting.

Utility Commission

Vice Mayor Pase informed the Council that the Town has received the permit from DelDot to jack and bore underneath Bi-State Blvd. She said that they entertained a request from Mr. Emery from the Delmarva Central Railroad for water and sewer services to a mobile office they want to put on the southern end of their property at Foskey Lane and Pennsylvania Avenue. The property is located in the County and it was recommended that he go through the County first with his request to place the mobile office at that location.

Vice Mayor Pase stated that they also heard a request from Mr. Leimbach for the waiver of impact fees for 2 N. Pennsylvania Avenue, Delmar, DE. The Utility Commission did not grant that request since the Commission felt it would start a precedent.

Public Works

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

Planning & Zoning

Council Member Boyan reported on the following:

Ellis Hammond- New sign for Delmar Public Library- 101 N. Bi-State Blvd, Delmar, DE

Mr. John Foley identified himself as standing in for Mr. Hammond. He stated that the sign is similar to the one the fire department has but this will be a monument sign.

After review of the sign packet, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for a new sign at the Delmar Public Library located at 101 N. Bi-State Blvd. Delmar, DE, per the attached drawings. Council Member Holmes seconded the motion which passed with 5 ayes and 0 absent.

Jerry McClymont- New window graphics for Obbey Tattoo located at 38660 Sussex Highway, Unit 9, Delmar, DE

Council Member Boyan stated that Mr. McClymont was asked by the Planning and Zoning Commission to remove the wording of "Obbey Tattoo" from the graphics and to replace the one graphic with something more suitable.

Mr. McClymont did provide copies of the new window graphics with the one replacement sign and the removal of “Obbey Tattoo”. He did inform the Council that once they are on the windows, they will be permanent.

Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new window graphics for Obbey Tattoo located at 38660 Sussex Highway, Unit 9, Delmar, DE, per the newly provided drawings. Council Member Boyan seconded the motion which passed with 5 ayes and 0 absent.

Chris Brown- Ryan Homes- New home build, Homestyle 2203, Lot 79 located at 11493 Buckingham Drive, Delmar, DE

After reviewing the documents provided, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build, home-style 2203 on Lot 79, located at 11493 Buckingham Drive, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 4 ayes, 0 absent and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New home build, Homestyle 1440, Lot 196 located at 38391 Elizabeth Lane, Delmar, DE

After reviewing the documents provided, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build, home-style 1440 on Lot 196, located at 38391 Elizabeth Lane, Delmar, DE, per the attached drawings. Council Member Boyan seconded the motion which passed with 4 ayes, 0 absent and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New home build, Homestyle 1296, Lot 197 located at 38387 Elizabeth Lane, Delmar, DE

After reviewing the documents provided, Council Member Smith made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build, home-style 1296 on Lot 197, located at 38387 Elizabeth Lane, Delmar, DE, per the attached drawings. Vice Mayor Pase seconded the motion which passed with 4 ayes, 0 absent and Council Member Holmes abstaining.

Chris Brown- Ryan Homes- New home build, Homestyle 2203, Lot 198 located at 38383 Elizabeth Lane, Delmar, DE

After reviewing the documents provided, Vice Mayor Pase made a motion to accept the favorable recommendation from the Planning and Zoning Commission for the new home build, home-style 2203 on Lot 198, located at 38383 Elizabeth Lane, Delmar, DE, per the attached drawings. Council Member Smith seconded the motion which passed with 4 ayes, 0 absent and Council Member Holmes abstaining.

Mayor Houlihan reported on the Delaware Board of Adjustments meeting that was held on July 31st. The prospective buyer of 2 N. Pennsylvania Avenue, Delmar, DE came before the Board and asked for some variances dealing with the setbacks. The building was built in the 1800’s and nothing can be changed. He was asking for the property to be returned to its’ non-conforming use. The Board granted their variances request. The building lost its’ grandfather clause since it has been vacant and not in use for such a long time.

Town Manager’s Report

Town Manager Bynum-King reminded the Council that Delaware has an election this year. The filing deadline is September 4th no later than 4:30 p.m.

Heritage Day is scheduled for Saturday, September 15th with the hours being from 9 a.m. to 4 p.m. The committees are working on finalizing the many events for that day. The staff is working hard with the vendors and the day is starting off with the Elementary School having a color run an hour before the actual opening ceremonies. Fireworks are planned for that evening. Hopefully it will be a nice weather day.

She informed the Council that on August 15th the Director of Public Works, the Waste Water Superintendent, the Town Engineer and herself will be traveling to Baltimore for a meeting with MDE. They will be discussing the Consent Order the Town has to obtain from the State for major maintenance that is needed on the wastewater treatment plant. The intent to obtain the Consent Order for the four major items to be repaired over a period of time is so that the Town will not have to submit a request for each individual item that needs to be repaired.

Commission Comments

Council Member Holmes suggested that everyone look into purchasing a spot light video camera. He said that it shows criminals in the act of stealing, setting fires or anything going on in the area. It will assist the police in investigations.

Council Member Boyan thanked the Chief of Police and his Officers for Blue Light Night. He is happy with what is going on with the parks in Town. They are looking really nice.

Vice Mayor Pase thanked the Chief for Blue Light Night.

Mayor Houlihan commented that Heritage Day is coming up and is put on by the Town Staff and the Joint Council. The hours are from 9 a.m. to 4 p.m. He suggested that the Council could do shifts and be represented at the Town's booth.

Public Comments

Beverly Wilson identified herself as being here for the Library. She informed the Council that the Library has moved from their temporary highway location. The Library is now closed. They have moved into the new/old location. All the books are out and there will be an extended time until they open the new location. She said that by Heritage Day they should be ready and wanted the Council's opinion on having a ceremony and library tours offered throughout Heritage Day and have the library open on that following Monday. She said that the Governor and other Officials will be down and she would like to share the spotlight with the Town. She said that right now there is a lot more outside construction being done.

Adjournment

After hearing no more public comments, Council Member Holmes made a motion for adjournment which was seconded by Council Member Boyan and passed with 5 ayes and 0 absent.

Submitted by;

Cindy Fisher
Clerk of Council