

MAYOR & COUNCIL
February 7, 2022
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Vice Mayor Pase, Council Members Smith, Jones, Kemp and Town Manager Bynum-King, Police Chief Barkley and Clerk of Council Vondell Spencer. Guests: Dennis Silicato (via teleconference), Tim Metzner, Tom Bauer, Vince Luca, Penny Glasgow, Linda Morris, Angel Ibarra-Martinez and the Delmar Wildcats Field Hockey Team.

Mayor's Comments

Mayor Houlihan called the meeting to order and performed a roll call to confirm there was a quorum. A quorum was established.

Mayor Houlihan invited Mayor Jordan to join him in presenting each member of the Delmar Wildcats Field Hockey Team with a plaque and certificates from the Town Elected Officials for winning the 2021 State Championship.

Approval of Minutes

Mayor Houlihan called for a motion to approve January 3, 2022 meeting minutes as prepared. A motion made/seconded (Jones/Smith) and carried with a roll call vote count: 4 Ayes and 1 Abstain (Kemp).

Unfinished Business

None.

New Business

None.

Student Advisory Report

Angel Ibarra-Martinez reported: 1.) Students are currently working on an upcoming play called The Wizard of Oz premiering Friday, March 4th at 7:00 p.m. and Saturday, March 5th at 1:00 p.m. and 7:00 p.m. 2.) This past Wednesday Delmar hosted Delmar Senior Night wrestling match against Dover High School, congratulations to seniors Trent Kemp and Kendric Jones for the win, and Manager Jordan Lloyd also a senior. The current record is 4 to 7. 3.) The Boys Varsity Basketball game was last Saturday. Delmar won against Delmarva Christian School 55 to 50 points. The current record is 9 to 2. There is an upcoming game at Laurel tomorrow. 4.) This past Thursday

Delmar Varsity Basketball girls hosted a game against Woodbridge, unfortunately the lades lost 9 to 50 but they gave it all they had. The upcoming Delmar Varsity Girls Basketball game is at Delmar. The current record is 6 to 7.

Committee Reports:

Police Chief's Report

Chief Barkley reported: 1.) Still in the recruitment phase and will begin testing phase next month. We currently have 14 applications. It's going to take some time but we should be able to fill all the allotted positions. 2.) Last weekend on Friday we broke-up a party on Brittani Lane that had an excess of 50 cars, too many people to count. Apparently, the owner of the residence had been renting it out as an Airbnb to some young adults. After the party was busted up the people went to Wawa where they caused more issues and had to be ushered from there. The following night they put out an additional flyer for a Jewell Street party where they stated, "They were not done turning up yet because they got shut yesterday." This was totally unacceptable and a true waste of our resources dealing with the fall-out from that. 3.) The submittal of Cpl. Keith Heacock's information was requested for a candidate for one of the Sussex County VFW Officers of the Year, we should hear back from that one shortly. 4.) Next weekend there will be a Survivors Retreat put on by concerns of police survivors. That will be held in Cambridge, MD from February 18th through the 20th. They specifically reached out to the P.D. for participants and there is a number of things that can be done through this, such as, counseling and fun events for the children of the families as well. They will go over the sequence of events that will take place in, Washington, DC, this May. 5.) We are hoping to have Cpl. Heacock's name added to the wall; a memorial for Fallen Police Officers this coming May which will be 3-4 days. There is no way many of the officers or myself could be there that long. Not sure how that's going to turn out, we may have to tag-team it because at the same time that's going on the trial is also slated to start. He said he may go for the opening ceremony and get back on this end. 6.) We are in the midst of preparing our budget for presentation. Council Member Jones asked has Chief had any luck getting body cameras in yet. Chief answered he reached out to the vendor that they had again and he has yet to get another response. In the mean time there was a back-up plan in place. The State of Delaware is also rolling out body cameras; that process started after our process started it seems to be going a little faster and he had not withdrawn us from that. We may get those first and if so, unfortunately the vendor we have will get another email from him telling the vendor that's unacceptable and we are going to cancel out of that. He is aware there are shipping issues going on out there, he feels as though even with that the company could communicate with him a little better, at least touch base with him and tell him where the body cameras are and he does not feel he is getting that right now. At the same time for the State of Delaware, we are kind of at the top of the list because we have nothing.

Code Enforcement Officer Report – In mail packet.

Public Works – In mail packet.

Town Mgr. Bynum-King mentioned an individual was interviewed for the Director position that looked to be a very promising candidate. We are also interviewing for labor positions starting tomorrow and we have a few good candidates as well.

Utility Commission Report

Vice Mayor Pase reported: 1.) The Utility Commission had two requests this evening, one for utility reimbursement costs for sewer backup. They presented the case and we had information as well. We made the decision to gather further information before we make a decision so, we will get back in contact with them. There was also a request from Michael Myers but he was not in attendance so we tabled that until March hoping that if he still had the request, he will present it and be here for our March meeting.

Planning & Zoning

Council Member Jones reported there were two submittals:

1. **Tom Bauer – Entrance Sign Installation – 13425 Grace Lane, Delmar DE** – Mr. Bauer presented an entrance sign installation as referenced per the attached drawings. He said DelDot has been checked out months ago.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Council for – Tom Bauer – Entrance Sign Installation – 13425 Grace Lane, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to approve – Tom Bauer – Entrance Sign Installation – 13425 Grace Lane, Delmar, DE, per the attached drawings. A motion was made/seconded (Smith/Kemp) and carried by roll call vote of 5 Ayes.

2. **Tim Metzner/Davis, Bowen and Friedel – Construction Proposal – 38666 Sussex Highway, Delmar, DE** – Representative Tim Metzner presented a construction proposal as referenced per the attached drawings. He said the owner Dennis Silicato is in attendance via teleconference. Mr. Metzner said one of the concerns that was brought up in the Planning and Zoning meeting was the parking. We did confirm based on the original site approval back in 1990 that the required parking spaces was 333 and we provided 363 so, there is 30 additional parking spaces. Then in 2003 there was an addition done to the Food Lion building and at that point they upped the parking for that as well so, parking required was 396 with that addition overall and we provided 491. He further said he sent an email to CDC Hardin a week ago today stating under the new Starbucks plan there were 42 existing, 13 proposed and 29 less parking spaces with the new addition then the overall design there was 95 additional spaces that were available for the overall shopping development based on 2003 so, we have reduced that by 29 parking spaces essentially making 66 of the required available parking spaces so there is still a surplus in parking for the overall shopping development.

Council Member Kemp asked 66 spaces over the number needed. Mr. Metzner answered that is correct. Council Member Jones commented so, this falls in line with the original plan when the plaza was created. Mr. Metzner responded correct. Mayor Houlihan said you had

the concept of this several months ago and it was either Star Bucks or Duncan Donuts. Mr. Metzner responded Duncan Donuts correct. The layout of the building obviously changed because of the product. The original layout was looking to be Duncan Donuts so, that is what that configuration was based on the Duncan Donuts product. Now, Starbucks has the contract on this area so, obviously the building had to go to their product; so, this changed slightly. The dumpster location was put where it was because that was approved by this body and the Delaware Board of Adjustments. Mayor Houlihan questioned if the building size is comparable to the Starbucks building in Salisbury. Mr. Metzner replied yes, it's the 2500 square foot. There are three different color schemes. They are not guaranteed yet, it's still being worked out by the owner and the tenant. Mayor Houlihan commented we always welcome commercial growth and it's a good product. Mr. Metzner further replied it's a good use of space. Council Member Kemp asked the guidelines as far as the turnaround. Mr. Metzner answered due to this being on site stormwater has already been designed, they are looking to break ground between March and April. They have also been granted approval from Food Lion.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Council for – Tim Metzner/Davis, Bowen and Friedel – Construction Proposal – 38666 Sussex Highway, Delmar, DE, subject to the proposed revised parking of the overall Stateline Plaza to meet the code at which time Stateline Plaza was approved. If it doesn't meet that code then a variance would be required.

Mayor Houlihan called for a motion to approve – Tim Metzner/Davis, Bowen and Friedel – Construction Proposal – 38666 Sussex Highway, Delmar DE, subject to the proposed revised parking of the overall Stateline Plaza to meet the code at which time Stateline Plaza was approved. If it doesn't meet that code then a variance would be required. A motion was made/seconded (Kemp/Jones) and carried by roll call vote of 5 Ayes.

Council Member Jones called for a favorable recommendation from the Planning and Zoning Commission to the Mayor and Council for – Tim Metzner – Construction Proposal – 38666 Sussex highway, Delmar, DE, subject to noting the building restriction line setbacks. Also noted the DBF review engineer is not permitted to review or approve sewer plans on behalf of the Town of Delmar.

Mayor Houlihan called for a motion to approve – Tim Metzner/Davis, Bowen an Friedel – Construction Proposal – 38666 Sussex Highway, Delmar, DE, subject to noting the building restriction line setbacks. Also noted the DBF review engineer is not permitted to review or approve sewer plans on behalf of the Town of Delmar. A motion was made/seconded (Smith/Pase) and carried by roll call vote of 5 Ayes.

Town Manager's Report

Town Manager Bynum-King reported as follows: 1.) The first Budget Workshop is Tuesday, March 1st. It will be the Department Heads presentation to the Joint Council of the Utility Commission for all Capital Outlay Requests. The workshop starts at 6:00 p.m. 2.) A refresher course will be rescheduled with general codes for the Town Officials that will be participating in the

codification process. 3.) A variety of vacancies need to be filled on the Boards and Commissions for Maryland and Delaware. 4.) Our offices and services will be closed on Monday, February 21st in recognition of President's Day.

Council Comments

Council Member Kemp and Council Member Smith had no comments.

Council Member Jones commented he was glad to hear the number of applicants for the Police Department.

Vice Mayor Pase said she was glad to see the audience tonight.

Public Comments: -

1. Penny Glasgow commented WBOC launched the Delmarva Sports Network today and the gentleman that had been very instrumental with getting it going is a Delmar High School graduate.
2. Mayor Houlihan mentioned Mr. Mike McClure is now the owner of The Laurel Star.

Adjournment

A motion to adjourn was made/seconded (Pase/Kemp) and carried by roll call vote with 5 Ayes.

Submitted by:

Clerk of Council
Vondell Spencer