

MAYOR & COUNCIL
January 3, 2023
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Bauer 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 Jones, Council Members McClure and Morris, Town Manager Fleetwood, Police Chief Ivan Barkley, Clerk of Council Vondell Spencer, Chief Finance Officer Heather Chandler. Guests: Vincent Luca, Penny Glasgow, Andy O’Neal, Paul & Jane Kope, Mark Welsh and Dhara Nakrani. Absent: Council Member Kemp.

Mayor’s Comments

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

Mayor Bauer wished everyone in attendance a Happy New Year and said he hoped they enjoyed their holidays.

He commented the holiday parade went on as planned after a slight delay posed by mother nature. The parade was well attended by the community which is always a good thing.

Mayor Bauer congratulated the Delmar Ladies Field Hockey Team for winning their seventh straight DE State Title and keeping the winning streak alive. He said the ladies will be honored next Monday at the Town of Delmar, MD meeting.

Approval of Minutes

Mayor Bauer tabled the November 7, 2022 minutes as prepared.

Mayor Bauer called for a motion to approve the December 5, 2022 meeting minutes as amended with changes: page 2 under new business paragraph 3 change \$6,700.00 to 67,000.00, page 3 paragraph 5 change Mr. Morris to Mr. Jones and her to Council Member Morris. A motion was made/seconded (Jones/McClure) and carried with a roll call vote of 4 Ayes and 1 Absent (Kemp).

Old Business

Mayor Bauer announced Artie Abbott declined the appointment for Parks and Receptions Council due to increased employment commitments.

Mayor Bauer updated attendees on the Community Development Block Grant with a message from CDC Hardin. He stated currently the candidates are merely potential recipients as Sussex County has not received funding from the State of DE at this point. Sussex County will submit to the state along

with all other founding jurisdictions throughout the State of DE.

He further stated once everyone submits to the state, the request for funding will go to HUD for allocation. It will be March at the earliest before the state will receive notice of funding at which time the state will determine the amount to be allocated to each county. Sussex County will then determine which jurisdiction recipients receive assistance.

Mayor Bauer noted in CDC Hardin's message there is no guarantee how many if any will be assisted. Once the county submits to the state it becomes a waiting game to see which jurisdictions are funded. CDC Hardin will follow-up as soon as he returns to the office.

Unfinished Business

None.

New Business

Mark Welsh, CPA, UHY, LLP. presented an overview of the audit for the fiscal year that ended on June 30, 2022 for the Utility Commission, Delmar, Maryland and Delmar, Delaware. Please see attached. A conversation ensued.

Mayor Bauer stated on the agenda tonight, Operations Manager, Mr. Paul Kope, 4 Points Towing and Roadside Service, LLC and Owner of 4 Points Towing and Roadside Service, LLC Mrs. Janet Kope, would like to present a request for services to be annexed into the Town. He explained and noted for the record he would have to appoint a committee of three people to review and discuss the request. He appointed Council Members Morris, McClure and Vice Mayor Jones. Mayor Bauer informed Mr. Kope the big question would be why they would like to be annexed into the Town.

Mr. Kope discussed the purchase of Bayly's Garage, Redhouse Motors and the junkyard behind there in March of 2022. He further discussed updating the new purchases to improve their appearance. Mr. Kope answered the questions of why they would like to be annexed into Town. He said they like being part of the community, they would like to belong to the Town to increase the number of employees because he is anticipating 19-20 new employees by the end of this year, depending on construction in the back he is anticipating one to two million dollars in revenue for this year which is hypothetical depending on construction. Mr. Kope mentioned they wanted to have self-storage units out back of the buildings. Also, they have a lot of challenges to face but they are here for the duration.

Council Member Morris asked if the business that Mr. Kope has in Camden-Wyoming is a towing business? Mr. Kope answered yes, towing and automotive repair business. He further answered what they are looking at is towing, automotive repair and self-storage units. Mr. Kope explained to Council Member Morris the previous owner had auto sales but he does not want to have used car sales.

Mr. & Mrs. Kope stated they have had meetings with PLUS and SEDAC. Mrs. Kope commented SEDAC voted unanimously that this would be a good project and this project would definitely bring much needed growth. She further commented she and Mr. Kope are very much into all aspects of the community from the Fire Dept. to PD. The main reason is to serve the community.

Council Member Morris asked Mr. and Mrs. Kope what self-storage meant to them. Mr. Kope answered they would like the 10 by 10 units and they will have a limited amount of boat and RV storage, mostly enclosed metal fabricated buildings. Council Member Morris further asked Mr. and Mrs. Kope the number of units they were interested in having on the property. Mr. & Mrs. Kope further answered the total will be about 732 at the most but that will probably get a lot smaller as they get into conversations with the FD about the roads etc. A conversation ensued.

Council Member Morris inquired if Mr. and Mrs. Kope self-storage units would be climate controlled? Mr. Kope responded he does not want climate-controlled units. A conversation ensued.

Mayor Bauer asked will the RVs be stored outside? Mr. Kope answered the boats and RV's will be inside of a fence. Mrs. Kope added another reason why they would like to have self-storage units is because they would like to hire other employees, in addition to employees for the automotive shop. She further added they love being an example in the community as being an employer that doesn't just count their employees as a number, the employees are real people with real lives and real concerns. A conversation ensued.

Council Member Morris asked what kind of positions are Mr. and Mrs. Kope expecting to have available. Mr. Kope answered the new positions would consist of mechanics, truck drivers, service techs, 4 new employees for the self-storage units, 1 maintenance position, IT, bookkeepers, accountants, etc.

Council Member Morris asked Mr. and Mrs. Kope if they been given a copy of the DE Comprehensive plan. Mrs. Kope answered they do not have the DE Comprehensive Plan. Council Member Morris encouraged Mr. and Mrs. Kope to contact CDC Hardin to receive a copy.

Council Member Morris asked Mr. and Mrs. Kope if they are currently on the septic system and would that system be sufficient to support their self-storage, automotive repair and towing businesses. Mr. Kope answered yes, they are on the septic system and yes, they are not changing the number of restrooms etc. He further answered they will probably end up with a portable toilet just in case someone is at their unit and have to use the restroom because he does not want them going around the corner. Council Member Morris questioned if the position of the septic system would allow them to do that. Mr. Kope said it would not be stopping any of that and they do not need a hook-up to town water or sewer.

Council Member Morris informed Mr. and Mrs. Kope that their biggest hurdle would be writing their statement as to why it would be advantageous to the Town of Delmar and how it supports the Comprehensive Plan. Vice Mayor Jones added the plan would be submitted to the committee. Mayor Bauer further added Mr. and Mrs. Kope have 90 days to submit this information. A conversation ensued.

Committee Reports:

Student Advisory-

Dhara Nakrani reported: 1.) Today was the first day back from winter break. Yesterday January 2nd and January 16th are the only off days this month. 2.) Towards the end of the month mid terms will begin which will be January 24th through January 27th. During this time the school will follow a half day schedule. School will begin at normal time and will dismiss at 11:45 a.m. 3.) January 27th will be the end of the second marking term which means it will be the end of the first semester. There is only half of the year left.

Police Chief's Report

Chief Barkley reported: 1.) The new PCO Kimberly Rojas will start tomorrow morning at 8:00 a.m. She will begin her training for that position. 2.) The two new recruits begin the police academy tomorrow morning. 3.) PD will start the process for new police officers for the last open position by the end of the month which is a timely process for PD to be ready by the end of June. PD needs to get started and get it going. PD has 18 applicants in the que for that one position and PD is moving forward. Mayor Bauer asked is it 16 officers and all positions for officers will be filled? Chief Barkley explained after the two that are in the academy graduate then it will be 15 and then the following one will put PD at 16. Council Member Morris asked Chief Barkley if he anticipated any new openings based on the next budget hearing even though this very preliminary. Chief Barkley agreed but he is very hopeful. Town Mgr. Fleetwood added the Council would be presented with a for a request for two additional police officers. A conversation ensued. 4.) Officers Zachary Walters and Darrell Powell started their field training about one week ago and are doing a great job. PD is hosting a swearing in ceremony on January 27th at 1:30 p.m. at Camelot Hall. Everybody is invited. 5.) Now that PD staffing numbers are at a better position than they have been in a long-time residents will see a little more proactive work. Just in the last 9 days PD has had over 110 traffic stops dealing with traffic issues around Town. PD will be out in neighborhoods a little more. 5.) The DE body cameras arrived on Friday. The officers have them on and the cameras are working. 6.) Over the Christmas holidays PD partnered with Pam Price and sponsored four families and gave gifts/personal items to the occupants of the Town's nursing home. Also, PD partnered with the Delmar FD and provided gifts and food for the Mollock family many of which were injured in a serious car accident just outside of Town. The young man that was in the accident had wishes from the PD and they were fulfilled. Council Member Morris discussed a follow-up issue with a stop sign at Grove and Eight St. continuing to be a problem. Chief Barkley responded he has to sit down with the Director of PW, Robert Buck to have a discussion in reference to the stop sign issue and also add that issue to enforcement issues. 7.) Residents may see some speed monitoring signs on State St. in the area of Eighth St. where the kids cross and go to school. Chief Barkley said PD would like to get a better idea statistically of their numbers and what they are looking at as far as speeding. A conversation ensued. Chief Barkley said PD can monitor the areas discussed but speed cameras cannot be used in DE because they do not recognize speed cameras.

Fire Department Report – The report is included in the mail packet.

Code Enforcement Officer Report – The report is included in the mail packet.

Public Works – The report is included in the mail packet.

Utility Commission Report

Council Member Morris reported: 1.) A reallocation request was presented for a VFD Wood Creek lift station for a motor that burned up. The cost for the repair is \$11,275.00. The funds will be reallocated from the Outside Skilled Services Account to the Capital Outlay Account. This request was unanimously approved by the Utility Commission. 2.) Well #3A located in the PW yard will have a wellness check that was supposed to occur in January but got postponed to February. 3.) The PAC tower maintenance will be completed sometime in January and the exterior cleaning of the tower will probably be included. 4.) January 27th at 1:30 p.m. the swearing in ceremony for the new police officers will be at Camelot Hall and all are encouraged to attend, residents are invited. 5.) In February date and time to be announced an employee service recognition ceremony for years of service will take place in the council chambers. 6.) State St. Park rededication will happen in the March/April timeframe. The sign will be delivered tomorrow. 7.) Cameras were inserted in two storm drains on Sixth St. and indicated the pipes were collapsing. Town Mgr. Fleetwood will meet with DBf to determine if CIPP piping is a potential solution. 8.) Two new benches have been installed at State St. Park. 9.) At the Mayor and Commissioners January 9th meeting the Delmar Ladies Field Hockey Team will be presented their plaque and the Town is encouraged to attend. 9.) The water tower on the DE side power-washing needs to be included in the 2024 budget.

Planning & Zoning

None.

Town Manager's Report

Town Mgr. Fleetwood commented he met with the two newest officers that are out doing their field training. In his opinion, they are two of the most motivated human beings that he has ever met. He further said he is looking forward to their swearing in on January 27th.

Town Mgr. Fleetwood reported: 1.) The State St. Park sign will be delivered tomorrow. 2.) The new grills for State St. Park have arrived and need to be installed. The picnic tables have been ordered and the Heacock Memorial is going to be delivered any day. He said he would like to have a serious rededication ceremony in the timeframe of March/April. Town Mgr. Fleetwood asked the citizens to attend the swearing in ceremony for the two new officers. 2.) Next week Town Mgr. Fleetwood will have a preconstruction meeting for the Phase I sewer project on the MD side. As soon as the weather breaks the Town will get into a major paving project on the MD and DE side. In August/September all that will be completed and the end result is new asphalt.

Mayor Bauer said there is one special guest, Delmar Middle/Senior High School Interim Superintendent, Andy O’Neal. He further said he, Council Member Morris, Mayor Jorden, Commissioner Shaffer and others have attended school board meetings.

Mr. O’Neal said it is a pleasure to serve the community, be a part of the Town and he is looking forward to a lot of good things most importantly doing what is best for our kids. He further said he will give it his all, give back, appreciated the Town’s support, wanting to form a network with the Town, PD, Fire Dept. and just be involved as well. So, the Town will see him in attendance here at Town Hall at meetings and he is aware some of the Mayors, Council Members and Commissioners have been attending school meetings. Town Mgr. Fleetwood commented anything that Mr. O’Neal needed from the Town give him a call. Mayor Bauer added Mr. O’Neal could contact him as well.

Council Comments

Vice Mayor Jones commented the West Tot Lot is looking good and it is coming along real nice.

Council Member Morris commented the management of EDUs have been a real challenge for the Town. Town Mgr. Fleetwood gave her a draft of a policy issuing EDUs and how to manage them. Council Member Morris proposed adding a Standard Operating Procedure (SOP) to capture the Town’s step-by-step process, and to include a management tool to assist in the monitor and control of EDUs; ensuring that they are issued equitably and fairly.

Council Member Morris further commented that she is in the process of developing a management tool, an Excel Workbook, that will capture everything the Town currently has on the table. She noted the workbook will incorporate both residential and commercial, and noted that it will capture both Delaware and Maryland projects. Council Member Morris noted that she is coordinating with WWTP Superintendent, Frank Daniels, Town Mgr. Fleetwood and DBf to ensure a clear picture of what EDUs have been committed and what’s available. She noted that the workbook will also map out a five-year plan for all projects captured.

Council Member Morris mentioned she thought it would be critical to get their arms rapped around this EDU issue before the State of MD tells them they will have to have a moratorium. Council Member Morris said the pipe replacement is going to help but Town Mgr. Fleetwood mentioned several times in the past that it is probably going to get worse before it gets better. So, after Phase II maybe we will see some recouping of EDUs and it won’t be such a tricky situation.

Town Mgr. Fleetwood added the response that the Town of Delmar made to MDE with what the Town’s plan is there has been no response from MDE as of yet. He further added we can plan but MDE is in control. The reality is we need to slow the growth of the Town.

Council Member McClure commented there was no Chamber of Commerce meeting in December but the next meeting will be the third Tuesday of this month. Also, the Parks and Recreation Commission will be meeting next Tuesday. Mayor Bauer added we have some openings for Committee Members posted on the Town’s website.

Public Comments

1. James Russ commented he is a long-time resident of Delmar and his family as well, also he is a Delmar High School graduate. He said he is aware that there are a lot of big changes going on in Delmar and he has brought his business to his hometown which is Omni Tech Pro, an IT Company. He described and discussed his business. A conversation ensued.
2. Penny Glasgow commented she could vouch for Mr. Russ. Ms. Glasgow asked Chief Barkley what the difference was in the revenue produced from a speeding ticket in MD and DE? Chief Barkley answered a speeding ticket in the State of MD all the revenue goes to the State of MD. On the DE side they look at your traffic enforcement and there is a portion that does come back to the municipality.
3. Ms. Glasgow asked Chief Barkley what was going on with the fallen officer memorial that is going in front of the PD? Commissioner Shaffer answered the FBI has a private business in Minnesota and the guy is backed up because he has a lot of business and the FBI is his number one customer but it is process but it is just very slow.
4. Vince Luca acknowledged Chief Barkley and his department for working with several organizations that helped two families during the holidays and no one acknowledged that. Mr. Luca said Chief thank your department for that and that is an excellent thing to do and he commended Chief's department very highly.
5. Janet Kope commented hearing everybody here tonight with all the comradery, concern, caring and unity, we are not used to having that. She further commented they live in Kent County and the structure in Kent County and Sussex County it's just not that way. This is the first Town meeting where there hasn't been a lot of tension. Everybody seems to care about everybody. She said good job Mayor, Police Chief, citizens and everybody. I have always wanted to be a part of a community where everybody cares about everybody and she thinks she found it. She further said they are committed to staying and they want to be involved with the Town because they think it would be a great opportunity to get love and service.

Adjournment

A motion to adjourn was made/seconded (McClure/Jones) and carried by roll call vote with 4 Ayes 1 Absent (Kemp).

Submitted by:

Clerk of Council

