

MAYOR & COUNCIL
September 3, 2024
MEETING HELD IN-PERSON AND VIA TELECONFERENCE

Mayor Thomas A. Bauer called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:07 P.M. This meeting is available to the public, in person with limited seating and via teleconference. In attendance were Vice Mayor Odell Jones, Jr., Council Members Todd Lanier, and Matthew Waldman. Key Personnel: Town Manager Fleetwood, Police Chief Ivan Barkley, and Clerk II Valerie Seefried. Guests: Daniel Webster, Rodney Brown, Tiffanie Cannon, Demetrius Jones, and Jerilisha Jones. Absent: Council Member McClure.

Mayor Bauer called the meeting to order and Chief Barkley led the Pledge of Allegiance. A roll call was performed to confirm there was a quorum. A quorum was established.

Mayor's Comments

Mayor Bauer said the Hometown Hero Banners are up, look great, people like them, and are impressed. He thanked the veterans for their service. He further thanked their families and friends for participating in the Hometown Heros Banner Project.

Mayor Bauer wished a happy birthday to St. Stephens Methodist Church that turns 157 years old tomorrow.

Mayor Bauer thanked Vice Mayor Odell Jones, Council Members; Mike McClure, Todd Lanier, and Matthew Waldman for serving together for the last 2 years. He said we have had a lot of good moments working together for the greater good of our Delmar community and best wishes in the election next month.

Mayor Bauer said there are four Farmer Market's left: this Saturday, September 21, October 5th, and October 19th which will be a Christmas Farmer's Market.

Mayor Bauer reminded everyone Heritage Day is September 21st from 10:00 a.m. to 2:00 p.m., with live music, carriage rides, vendors and the tug of war between Delaware and Maryland.

Mayor Bauer announced the Delmar High School Homecoming Parade is September 28th.

Mayor Bauer stated Council Member McClure is excused from this evening's meeting.

Approval of Minutes

Mayor Bauer called for a motion to approve the August 5, 2024 meeting minutes as prepared. A motion was made/seconded (Jones/Waldman) and carried by a vote of 4 Ayes 1 Absent (McClure).

Unfinished Business

None.

Old Business –

None.

New Business –

Mayor Bauer adjusted the sequence of the agenda.

Mayor Bauer asked for a motion to suspend the rules for public comments. A motion was made/seconded (Jones/Lanier) and carried by a vote of 4 Ayes 1 Absent (McClure).

Ms. Tiffanie Cannon discussed her grievances with the town's Ordinance #87 in regards to her property. A discussion occurred.

Mayor Bauer asked for a motion to close public comments. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 4 Ayes 1 Absent (McClure).

Impact Fee Discussion

Mayor Bauer stated the impact fees that the council wanted to discuss were discussed in the past. He explained the difference between impact fees and EDUs. Mayor Bauer explained that the impact fees are for new homes and new developments only. He further explained the impact fees could be used for roads, maintenance, and stormwater drainage. A conversation ensued. Town Mgr. Fleetwood mentioned a draft of impact fees plan was given to the council and the council stated the changes they would like to see in the final impact fees plan. A conversation ensued.

Committee Reports:

Police Chief's Report

Chief Barkley reported: 1.) There are currently no officers in the police academy because the PD is fully staffed. There are no openings at the PD currently. 2.) Chief Barkley reviewed the department report. 3.) PD would like to review with the council and Town Mgr. Fleetwood having restricted parking on one side of Lincoln Ave. in the last block going east towards the school during particular hours because it is difficult for the buses to come in and out of the school. 4.) Chief Barkley said Sunday through Thursday of next week he will be at the Chief's and Sheriff's Conference in Ocean City, MD. The Lieutenant's will be available if needed and he will be available by phone.

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 Lanier reported: 1.) There were three requests to access sewer lines. 2.) Today milling has started on Delaware Ave. The sewer and stormwater work has been done. 3.) The Hometown Hero Banners have been installed.

Parks and Recreation Report –

Council Member McClure is absent. Town Mgr. Fleetwood said the Commission is looking for a date for a chili cook-off and Movie Night. The Movie Night will be partnering with the library because the library has an annual copyright license for movies.

Fire Department – No report.

Planning & Zoning –

Vice Mayor Jones reported:

1. **Demetrius Jones – New Home Build/Request for Easement – Corner of North Memorial Dr. and W. Jewell St., Delmar, DE** – Mr. Jones presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Demetrius Jones – New Home Build – Lot 37, Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Demetrius Jones – New Home Build – Stillwater – Corner of North Memorial Dr., and W. Jewell St., Delmar, DE., per the attached drawings. A motion was made/seconded (Lanier/Waldman) and carried by a vote of 4 Ayes 1 Absent (McClure).

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for the proposed plan to define a 12-foot-wide utility easement for the benefit of Lot 36 across Lot 37 to North Memorial Drive.

Vice Mayor Jones called for a motion to accept – proposed plan to define a 12-foot-wide utility easement for the benefit of Lot 36 across Lot 37 to North Memorial Drive. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 4 Ayes 1 Absent

2. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 169, 38335 Stillwater Parkway, Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 169, 38335 Stillwater Parkway, Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Birch/Elevation K – Lot 169, 38335 Stillwater Parkway, Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 4 Ayes 1 Absent (McClure).

3. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 84, 11867 Yellowwood Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 84, 11867 Yellowwood Dr., Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 84, 11867 Yellowwood Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/Bauer) and carried by a vote of 4 Ayes 1 Absent (McClure).

4. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 20, 11747 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 20, 11747 Silverbell Dr., Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation K – Lot 20, 11747 Silverbell Dr., Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/Lanier) and carried by a vote of 4 Ayes 1 Absent (McClure).

5. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 148, 11750 Silverbell Dr., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 148, 11750 Silverbell Dr., Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Cedar/Elevation K – Lot 148, 11750 Silverbell Dr., Delmar,

DE., per the attached drawings. A motion was made/seconded (Bauer/Waldman) and carried by a vote of 4 Ayes 1 Absent (McClure).

6. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation L – Lot 110, 38490 Barberrry St., Delmar, DE** – Mr. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation L – Lot 110, 38490 Barberrry St., Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Tupelo/Elevation L – Lot 110, 38490 Barberrry St., Delmar, DE., per the attached drawings. A motion was made/seconded (Waldman/Lanier) and carried by 4 Ayes 1 Absent (McClure).

7. **Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 120, 38505 Barberrry St., Delmar, DE** – Ms. Brown presented a new home build as referenced per the attached drawings.

Deputy Mayor Lenox called for a favorable recommendation to the Mayor and Council for – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 120, 38505 Barberrry St., Delmar, DE., per the attached drawings.

Vice Mayor Jones called for a motion to accept – Chris Brown/Ryan Homes – New Home Build – Stillwater/Spruce/Elevation L – Lot 120, 38505 Barberrry St., Delmar, DE., per the attached drawings. A motion was made/seconded (Bauer/Lanier) and carried by a vote of 4 Ayes 1 Absent (McClure).

Town Manager’s Report

Town Mgr. Fleetwood reported: 1.) In reference to the Lead and Copper Rule there are a number of homes to go. The remaining three hundred homes will be more intrusive and may have to be dug up. There was an announcement on social media that this project is still in progress. 2.) In reference to Delaware Ave., the sewer line replacement from Fourth St. to Eighth St. has been completed. The stormwater component has been corrected as well. 3.) The road from Bi-State Blvd. to Eighth St. will be milled, overlayed, and then it will be completed. The scheduled milling has started now, will continue Wednesday and Thursday, and the basecoat will be completed Thursday. On September 10th top coating will occur. The school has been notified because all the kids are back in school tomorrow. 4.) September 5th from the hours of 12:00 p.m. to 2:00 p.m. Mayor Bauer is sponsoring an employee luncheon for town staff in the town hall chambers. 5.) September 6th Town Mgr. Fleetwood, Chief Barkley, Office Mgr. Kimberly Layton, and Delmar Library Director, Jessica Webb will meet with an organization called Beehive Family Services that focuses on troubled youth and troubled families. The CEO of this organization reached out and is looking for a place that she can hold meetings and they will meet because the best place to hold the meetings is in the public library. 6.) September 21st is Heritage Day from 10:00 a.m. to 2:00 p.m.

Heritage Day will have food, vendors, and horse and buggy. 7.) The first water/sewer bills that capture the new rates will be mailed out soon. Office Mgr. Kimberly Layton has put the new rates on social media. 8.) On Stage Rd the new bushhog, Public Works are cutting that ditch back. On Chestnut St. they are cutting that run of ditch back. 9.) Two years ago, this elected body approved a line stripping machine that was purchased and was not functioning. They have fixed the issue and that will be present around town soon. 9.) Hometown Hero Banners, Town Mgr. Fleetwood and Mayor Bauer agreed that they can be placed better. They are placed at streetside but there is a minimum height because it a state road. 10.) The Farmer's Market will take place this weekend. 11.) The railroad gave the town 7.5 ft of property on the MD side in front of town hall and PD where there is a fence. There was line on the ground painted but does not give a true visual. Next Monday there will be a meeting with the MD side on site by the fence so they can visualize the space to decide what they want to do with the space.

Council Comments

- 1.) Council Member Lanier commented the Hometown Hero's event was awesome. He said he is glad the second round of Hometown Hero Banners are coming and the town will probably see more. He further commented it is lovely that Chief Barkley pointed out the violent crime is low in this town. Council Member Lanier said people are figuring out the impact fees especially on the DE side. He asked Town Mgr. Fleetwood about the work that was being done today on Grove St. Town Mgr. Fleetwood answered Chesapeake Gas is redoing some lines. Council Member Lanier said a citizen said to him he is very concerned about kids not being able to stand in the tires of the big trucks at Heritage Day. Town Mgr. Fleetwood explained there would be touch-a-truck for Heritage Day and what that includes.
- 2.) Vice Mayor Jones echoed what Council Member Lanier said about the Hometown Hero Banners. He said it is great and brings life to the town.
- 3.) Council Member Lanier commented he is glad we purchased the bushhog and the more we can do for our own town, it's great.
- 4.) Council Member Waldman commented it was the first day back to school for the freshmen and fifth graders today. He reminded everyone to be weary of students out in the morning, afternoon, and the buses are back on the road on the MD and DE sides.

Public Comments

- 1.) Mr. Daniel Webster with Capital Ministries discussed bible studies with elected officials and other towns. He provided flyers and his card for the elected officials.

Adjournment

Mayor Bauer asked for a motion to adjourn. A motion was made/seconded (Jones/Waldman) and carried by a roll call vote of 4 Ayes 1 Absent (McClure).

Submitted by:

Clerk of Council
Vondell Spencer