

MAYOR & COUNCIL
October 5, 2020
Via Teleconference

Mayor Houlihan called the regular scheduled meeting of the Mayor and Council of Delmar, Delaware to order at 7:00 P.M. Due to COVID-19, the meeting is being held via teleconference. Mayor Houlihan conducted an attendance roll call to establish a quorum for this evenings meeting. A quorum was established. In addition to Mayor Houlihan were Council Members Smith and Boyan. Key Personnel was also identified: Police Chief Ivan Barkley, Town Manager Bynum-King, Clerk of Council Vondell Spencer. Absent: Vice Mayor Mary Lee Pase. Guests: Teresa Morelli, Josh Taylor, Chris Jakubiak, and Chris Gilkerson.

Mayor's Comments

Mayor Houlihan called the meeting to order and performed a roll call to confirm there was a quorum. Three members were present and the quorum was established.

Approval of Minutes

Mayor Houlihan called for a motion to approve September 8, 2020 meeting minutes as prepared. A motion was made/seconded (Boyan/Smith) and carried with a roll call vote count: 3 Ayes and 1 Absent (Pase).

Unfinished Business

Town Manager Bynum-King reported the Delaware election that was scheduled for today's date was cancelled. There was only one candidate that filed for the Mayor's seat, the incumbent, and no one filed for the two vacant Council Member seats. Staff consulted with the Town Attorney and was advised the Delaware state law allows the election to be cancelled due to the Mayors seat being unopposed, the Incumbent will resume the Mayor's seat. He will automatically assume the position taking the Oath of Office November 2, 2020. Following the Mayor's office, he can start the vetting process to fill the two vacant Council Member seats.

Town Manager Bynum-King mentioned the light/sound trailer requested by Councilmember Smith for the tree lighting ceremony is still in the works. She is just waiting to confirm the availability of the trailer from the Town of Georgetown.

New Business-

Mayor Houlihan read Halloween Resolution 2020-10-05. Councilmember Boyan questioned Mayor Houlihan about his concerns in reference to social distancing. Mayor Houlihan stated he has researched CDC Guidelines and Governor Carney's office with the Division of Public Health. They have discouraged parties and recommended using discretion, good practices and using best

judgement. He added the children deserve some type of normalcy.

A motion to approve Halloween Resolution 2020-10-05. A motion was made/seconded (Smith/Boyan) and carried with a roll call vote count: 3 Ayes 1 Absent.

Mr. Chris Jakubiak, AICP Jakubiak Town & City Planning presented the draft update to the Delmar, Delaware Comp Plan. Mr. Jakubiak presented in detail the proposed plan updates. In summary his key points were: 1.) Parcels of land East of US 13 are substantially bigger than the town itself which could accommodate a considerable amount of development, causing significant impact on the town's infrastructure and school districts. 2.) About 80% of future growth and around town is hydrating the territory. 3.) Wetlands and streams present standard limitations for urban development. 4.) Municipal water currently has adequate supply; however, the wastewater is operating at 89% capacity at the WWTP, which will impact the Town's ability to serve new developments.

Mr. Jakubiak, will be sending the draft to the State of Delaware Planning Office and to Sussex County for their review and comments. The tentative schedule is for the Town to appear before the State PLUS review in November. The draft plan will also be posted for public review and comments.

Committee Reports:

Student Advisory- Ms. Morelli reported: 1.) Delmar High & Senior School is operating in a completely virtual manner in hopes to move to a hybrid manner in November with the start of the second quarter. 2.) Delmar Sports Teams began practicing this week and are looking to a modified schedule that will allow them to have games this year. Attendance of spectators will be limited to two attendance passes per athlete and volleyball with only one attendance pass per athlete due to indoor games. 3.) There will be no Middle School Sports this year but JV & Varsity will be playing. Delmar High School Sports is in the works of getting broadcasted on live television. Sports teams schedules are available at www.wildcats-sports.com. 4.) Due to the pandemic the Delmar Athletic Boosters Club will not be able to raise money this year from sports events or concession stands. The Boosters have created an alternative fundraiser called Adopt an Athlete.

Police Chief's Report-

Chief Barkley reported: 1.) A suspect was successfully apprehended for break-ins. 2.) The Walk for Justice was successful. 3.) He was unsure if the St. Stephen's Prayer Walk took place. Councilmember Smith confirmed the walk did take place and was successful. 4.) The Police Department assisted the Sheriff's Dept. on a search warrant on shooting suspects. The suspects were successfully apprehended. 5.) Door-to-Door Electric Company Solicitors were asked to cease and desist until they retained the proper permits. 6.) Additional staff is secured for Halloween as a precaution. 7.) Requests have been made for assistance for the sporting events at Delmar High School as far as enforcement of spectators wearing personal protective equipment and guidelines will be followed as set by our governor. 8.) The fourth annual golf tournament was successful last weekend. Mayor Houlihan added the tournament was a success.

Code Enforcement Officer Report-Written Report in the Mail Packets. No added comments.

Parks and Recreation-No Report.

Public Works-Written Report in the Mail Packets. No added comments.

Utility Commission Report-

Councilmember Smith reported Mr. Homens, property owner submitted documentation for review and consideration for cost reimbursement for an invoice from a plumber he incurred due to a leak. Mr. Homens threatened to get resolution by seeking further assistance in small claims court in fifteen days if the Town does not reimburse him. The Utility Commission decided to deny Mr. Homens request for reimbursement. Town Mgr. Bynum-King explained that when a resident has an unforeseen leak the Town adjusts their utility bill based on the last three quarters of normal usage and Mr. Homens utility bill was adjusted. The Town has done its part and the responsibility of the repair remains with the homeowner. Mayor Houlihan said okay.

Planning & Zoning

- **Chris Gilkerson-New Home Build-11754 Buckingham Drive, Lot 6, Delmar, DE**-Mr. Gilkerson is proposing a new single-family home build in the Yorkshire Estates subdivision.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the approval of Chris Gilkerson - New Home Build - 11754 Buckingham Drive, Lot 6, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote of 3 Ayes 1 Absent.

- **Chris Gilkerson-New Home Build-11758 Buckinham Drive, Lot 7 Delmar, DE**- Mr. Gilkerson is proposing a new home build. There was no comments or discussion from the Commission.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the approval of Chris Gilkerson New Home Build - 11758 Buckingham Drive, Lot 7, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Boyan/Smith) and carried by roll call vote of 3 Ayes 1 Absent.

- **Chris Gilkerson-New Home Build-13415 Grace Lane, Lot 28, Delmar, DE**- Mr. Gilkerson is proposing a new home build. Mayor Houlihan inquired about the range of prices for these homes. Mayor Houlihan asked for the price point for the new homes and

Mr. Gilkerson replied low to mid-200 range. He also mentioned that Ryan Homes was a builder for Yorkshire Estates and Mr. Gilkerson replied yes, however his home style although different will blend with the current home styles in the development.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the approval of Chris Gilkerson New Home Build - 13415 Grace Lane, Lot 28, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote 3 Ayes 1 Absent.

- **Chris Gilkerson-New Home Build-13420 Grace Lane, Lot 23, Delmar, DE** – Mr. Gilkerson is proposing a new home build. There was no comments or discussion from the Commission.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the approval of Chris Gilkerson - New Home Build-13420 Grace Lane, Lot 23, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote 3 Ayes 1 Absent.

- **Angela Hendricks-New Sign at 605 N. Bi-State Blvd., Unit A, Delmar, DE**- Angela Hendricks is proposing to put vinyl letters on the window for the name and hours for the salon. Councilmember Boyan confirmed there will be no other signs on the building. This will be placed on the window of the store front and it is less than 50% of the window space and also a see-through sign.

Council Member Boyan reported that the Planning Commission gave a favorable recommendation to the Mayor and Council for the approval of New Signage for Angela Hendricks - 605 N. Bi-State Blvd., Unit A, Delmar, DE, per the attached drawings.

Mayor Houlihan called for a motion to accept the Planning Commission's favorable recommendation. The motion was made/seconded (Smith/Boyan) and carried by roll call vote 3 Ayes 1 Absent.

Town Manager's Report-

Town Mgr. Bynum-King reported starting October 6, 2020, we are going to try a soft opening in the municipal building in the administrative lobby on Tuesdays and Fridays. We chose those days because the building is cleaned on Tuesday evenings and Saturdays.

Town Mgr. Bynum-King reported there will be an event held October 24th from 3:00 p.m.-5:00 p.m.

in the State Street Park. The meeting is showing support and praying for our law enforcement officers. The event is being coordinated by Mr. John Middleton. She was told that 3-C's Church will be helping support this event. Chief Barkley said he spoke with Pastor Rittenhouse and he is unsure whether they are supporting this event. Chief Barkley mentioned he will not be in attendance.

Council Comments-

Councilmember Smith mentioned that he would like to thank the Dept. of Public Works for weeding the sidewalks. He further mentioned the donated Christmas tree in the State Park looks like it is not going to survive, and he has already made contact with a company for a replacement just in case the Town needs another tree for the Community Love Light tree in the park.

Councilmember Boyan said everyone continue being safe and Happy Halloween.

Mayor Houlihan said with COVID-19 and flu season on the rise we have uncertainty. He further said he would rather error on caution and still continue meetings via teleconference. Town Mgr. Bynum-King said she tried to restructure the conference room to determine if social distancing with adequately spaced chairs of six feet apart could be achieved. The smaller meetings could work, but the larger meeting such as Planning and Zoning meetings or when either side have several planning agenda items to review and approve, there will be a challenge to fit everyone in the conference room. She also mentioned that we discovered mold in the large conference room ceiling and we are addressing that issue as well.

Public Comments: - No Public Comments.

Adjournment

A motion to adjourn was made/seconded (Boyan/Smith) and carried by roll call vote with 3 Ayes 1 Absent.

Submitted by:

Clerk of Council